May 3, 2004 49145 $3.95 U.S., $4.95 Canadian

B LONG
ON 9/11
HYPOCRISY

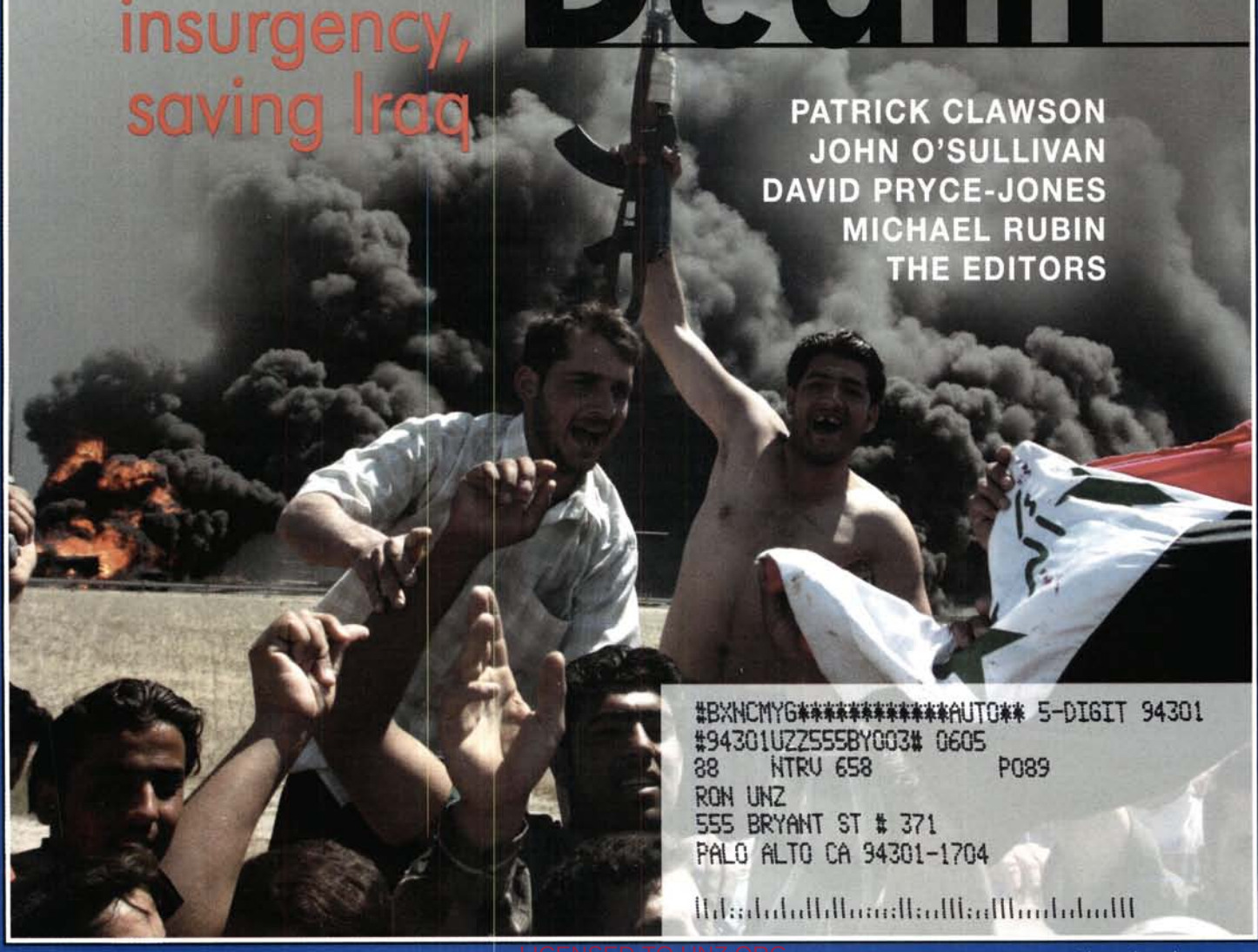
GRISWOLD on THE JOY OF OUTSOURCING

NATIONAL REVIEW

To the Death

Crushing the insurgency, saving Iraq

PATRICK CLAWSON
JOHN O'SULLIVAN
DAVID PRYCE-JONES
MICHAEL RUBIN
THE EDITORS



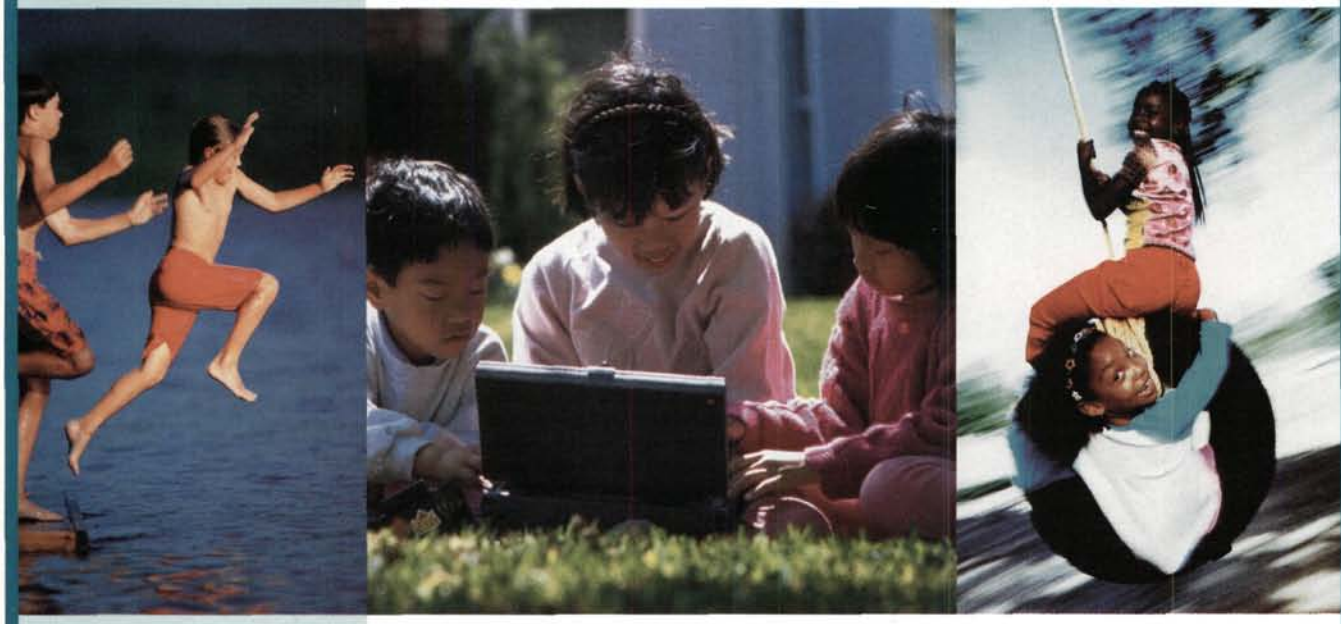
#BXNCMYG**********AUTO** 5-DIGIT 94301
#94301UZZ555BY003# 0605
88 NTRU 658 P089
RON UNZ
555 BRYANT ST # 371
PALO ALTO CA 94301-1704

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

www.nationalreview.com

NUCLEAR.

Electricity & Clean Air Today & Tomorrow.



Kids today are part of the most energy-intensive generation in history. They demand lots of electricity. And they deserve clean air.

That's why nuclear energy is so important to America's energy future. Nuclear energy already produces electricity for 1 of every 5 homes and businesses. And our 103 nuclear power plants are emission free so they help keep the air clean.

We need secure, domestic sources of electricity for the 21st Century—and we also need clean air. With nuclear energy, we can have both.

Nuclear energy is the most reliable source of electricity.

NUCLEAR.
THE CLEAN AIR ENERGY

NEI

WWW.NEI.ORG

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

MAY 3, 2004 VOL. LVI, NO. 8

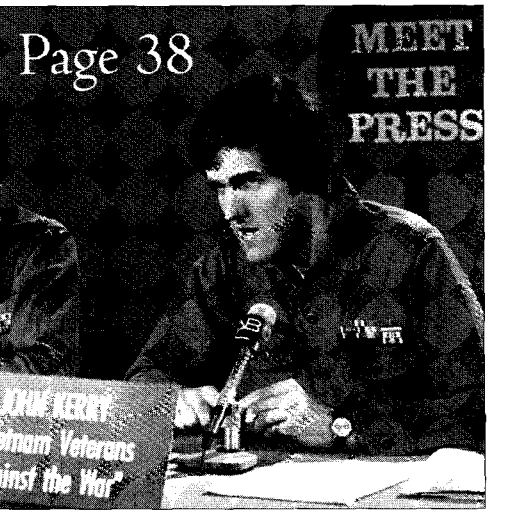
NATIONAL REVIEW

www.nationalreview.com

■ HISTORY

They Charge War Crimes

For many Americans, especially those in the media, nothing says "Vietnam" quite like "atrocity" and "war crime." *By Mackubin T. Owens*



ARTICLES

18 The L Word *by John O'Sullivan*
How to gain legitimacy in Iraq?

20 Clashes *by David Pryce-Jones*
Their way is not our way—but we must adapt to their way.

23 The Cost of Weakness *by Michael Rubin*
When al-Jazeera loves Ted K. . . .

24 Security and Politics *by Patrick Clawson*
Get the latter right, and you'll have the former.

26 Blame Game *by Byron York*
The Democrats' search for 9/11 'contradictions.'

29 The Un-Kerry *by Alexander Rose*
Meet John O'Neill, the Vietnam vet who once debated John Kerry on *The Dick Cavett Show*.

31 Boomerang! *by Bradley A. Smith & Allison R. Hayward*
Republicans should not try to beat Democrats at their own campaign-finance game.

32 Kicking the Corpse *by Theodore Dalrymple*
Why the mutilation of dead bodies repulses us—or should.

34 Few, Proud, Remarkable *by Richard Lowry*
With U.S. Marines-to-be.

36 Outsource, Outsource, and Outsource Some More *by Daniel T. Griswold*
A boon to the American economy.

38 They Charge War Crimes *by Mackubin T. Owens*
How John Kerry et al. have defamed the American serviceman in Vietnam.

BOOKS, ARTS & MANNERS

45 The Freedom Framers—*Ramesh Ponnuru* . . .
Restoring the Lost Constitution: The Presumption of Liberty, *by Randy E. Barnett*

49 Crimes of the Century—*David Pryce-Jones* . . .
Stalin: The Court of the Red Tsar, *by Simon Sebag Montefiore*

51 The Gold Standard—*Austin W. Bramwell* . . .
A Terry Teachout Reader

53 Free the Media—*James V. DeLong* . . . Free Culture: How Big Media Uses Technology and the Law to Lock Down Culture and Control Creativity, *by Lawrence Lessig*

54 Shelf Life: A Spring Selection—Michael Potemra selects this season's should-reads.

56 The Straggler: Book Report—John Derbyshire is vastly underpaid, but doesn't mind.

SECTIONS

2 Letters
4 For the Record
6 The Week
17 Notes & Asides
42 Help!
44 The Long View
52 Poetry
58 On the Right
60 Happy Warrior

COVER: *Antonio Scorza/AFP*

NATIONAL REVIEW (ISSN: 0028-0038) is published bi-weekly, except for the first issue in January, by NATIONAL REVIEW, Inc., at 215 Lexington Avenue, New York, N.Y. 10016. Periodicals postage paid at New York, N.Y., and additional mailing offices. ©National Review, Inc., 2004. Address all editorial mail, manuscripts, letters to the editor, etc., to Editorial Dept., NATIONAL REVIEW, 215 Lexington Avenue, New York, N.Y. 10016. Address all subscription mail orders, changes of address, undeliverable copies, etc., to Circulation Dept., NATIONAL REVIEW, P. O. Box 668, Mount Morris, Ill. 61054-0668; phone, 815-734-1232, Monday Friday, 8:00 A.M. to 10:30 P.M. Eastern time. Adjustment requests should be accompanied by a current mailing label or facsimile. Direct classified advertising inquiries to: Classifieds Dept., NATIONAL REVIEW, 215 Lexington Avenue, New York, N.Y. 10016 or call 212-679-7330. POSTMASTER: Send address changes to Circulation Dept., NATIONAL REVIEW, P. O. Box 668, Mount Morris, Ill. 61054-0668. Printed in the U.S.A.

RATES: $59.00 a year (25 issues). Add $21.50 for Canada and other foreign subscriptions, per year. (All payments in U.S. currency.) The editors cannot be responsible for unsolicited manuscripts or artwork unless return postage or, better, a stamped self-addressed envelope is enclosed. Opinions expressed in signed articles do not necessarily represent the views of the editors.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

NATIONAL REVIEW

May 3 issue; printed April 15

EDITOR
Richard Lowry

Senior Editors
Richard Brookhiser / Jeffrey Hart
Ramesh Ponnuru / David Pryce-Jones
Managing Editor Jay Nordlinger
Washington Editor Kate O'Beirne
Literary Editor Michael Potemra
Executive Editors
Dorothy McCartney / Christopher McEvoy
National Political Reporter John J. Miller
White House Correspondent Byron York
Deputy Managing Editor Alexander Rose
Art Director Luba Kolomytseva

Associate Editors
Meghan Clyne / Rachel Z. Friedman
Research Director John J. Virtes
Executive Secretary Frances Bronson
Assistant to the Editor Jane Jolis
Editorial Associates
Patricia B. Bozell / Meghan Keane
Jane Buckley Smith
Contributing Editors
Robert H. Bork / John Derbyshire
W. H. von Dreele / Rod Dreher
David Frum / Roman Genn
Jonah Goldberg / John Hillen
Florence King / Lawrence Kudlow
Mark R. Levin / Rob Long
Stephen Moore / John Simon

NATIONAL REVIEW ONLINE
Editor Kathryn Jean Lopez
Production Manager Aaron Bailey

PRESIDENT
Thomas L. Rhodes
EDITORS-AT-LARGE
Linda Bridges / Wm. F. Buckley Jr. / John O'Sullivan

Contributors
Hadley Arkes / Baloo
Tom Bethell / James Bowman
David Brudnoy / Priscilla L. Buckley
Eliot A. Cohen / Brian Crozier
Dinesh D'Souza / M. Stanton Evans
Chester E. Finn Jr. / Neal B. Freeman
James Gardner / David Gelernter
George Gilder / Charles R. Kesler
John Kiley / James Jackson Kilpatrick
David Klinghoffer / Anthony Lejeune
D. Keith Mano / Richard John Neuhaus
Michael Novak / Alan Reynolds
William A. Rusher / Tracy Lee Simmons
Terry Teachout / Taki Theodoracopulos
Ralph de Toledano / Vin Weber / Timothy J. Wheeler

Associate Publisher Jack Fowler Sr.
Assistant to the Publisher Kevin Longstreet
Assistant to the President Barbara Nowack
Chief Financial Officer James X. Kilbridge
Accounting Manager Galina Veygman
Accountant Irina Dynkevich
Treasurer Rose Flynn DeMaio
Business Services
Alex Batey / Timothy Wolff
Circulation Director Theresa Maloney
Circulation Manager Jason Ng

WORLD WIDE WEB http://www.nationalreview.com
MAIN NUMBER 212-679-7330
SUBSCRIPTION INQUIRIES 815-734-1232
WASHINGTON OFFICE 202-543-9226

ADVERTISING SALES 212-679-7330
Executive Publisher Scott F. Budd
Advertising Representative Jim Fowler
Detroit Rep. Joseph J. Colucci 248-626-9918

PUBLISHER
Edward A. Capano

letters to the editor

FELICITATING THE FAT MAN

Having always considered the best critic the one who agrees with me, I have placed Jay Nordlinger at the top of my list: His assessment of Luciano Pavarotti's incredible career ("Farewell, Fat Man," April 5) was warm and touching.

After a half-century of attending several dozen opera performances a year, and having heard all singers of consequence since the mid-1950s, my wife and I still most treasure our Pavarotti experiences. One particular memory illustrates why.

In about 1972 we went to see the first performance of a new Met production of *La Fille du Régiment*, because it starred Joan Sutherland. Midway through Act I, an unfamiliar tenor came bounding over the hill singing effortless high C's. A total stranger leaned forward to whisper urgently, "Who the hell is that?" To which my wife replied, "I don't know, but isn't he incredible?"

Instead of our usual rush to the garage we surged toward the stage to applaud. The curtain calls that night lasted 35 minutes, and patrons in the balconies tore up their programs to make confetti. Nothing before or since ever approached that reaction. Pavarotti leaped immediately to the top of the world opera scene and stayed there for decades. *Fille* was to be but the first of many sensational evenings with him, including his Met *Bohème* with Freni and Kleiber and his Avery Fisher Hall concerts with Sutherland and Horne.

Thank you, Luciano, for a lifetime of great memories; and thank you, Jay Nordlinger, for properly saluting his achievements.

George Schiele
Greenwich, Conn.

PURGING THE SPENDING BINGE

Regarding Tad DeHaven's "Blowing It" (April 5):

The current federal spending binge is a symptom of an inherent flaw in our Republic, or any republic, for that matter. By increasing public spending, the people's representatives can buy the votes they need for re-election. As a result, republics naturally beget public-sector growth—and always will, until elected representatives can put their nation's interests above their own selfish interests. Any workable answer to the spending problem must confront this flaw, and would require a constitutional amendment of some sort.

One such solution would be to disenfranchise persons who receive public handouts—then their votes would not be purchasable with kickbacks from state-funded programs. Unfortunately, the last reasonable chance for such an amendment disappeared around the year 1787.

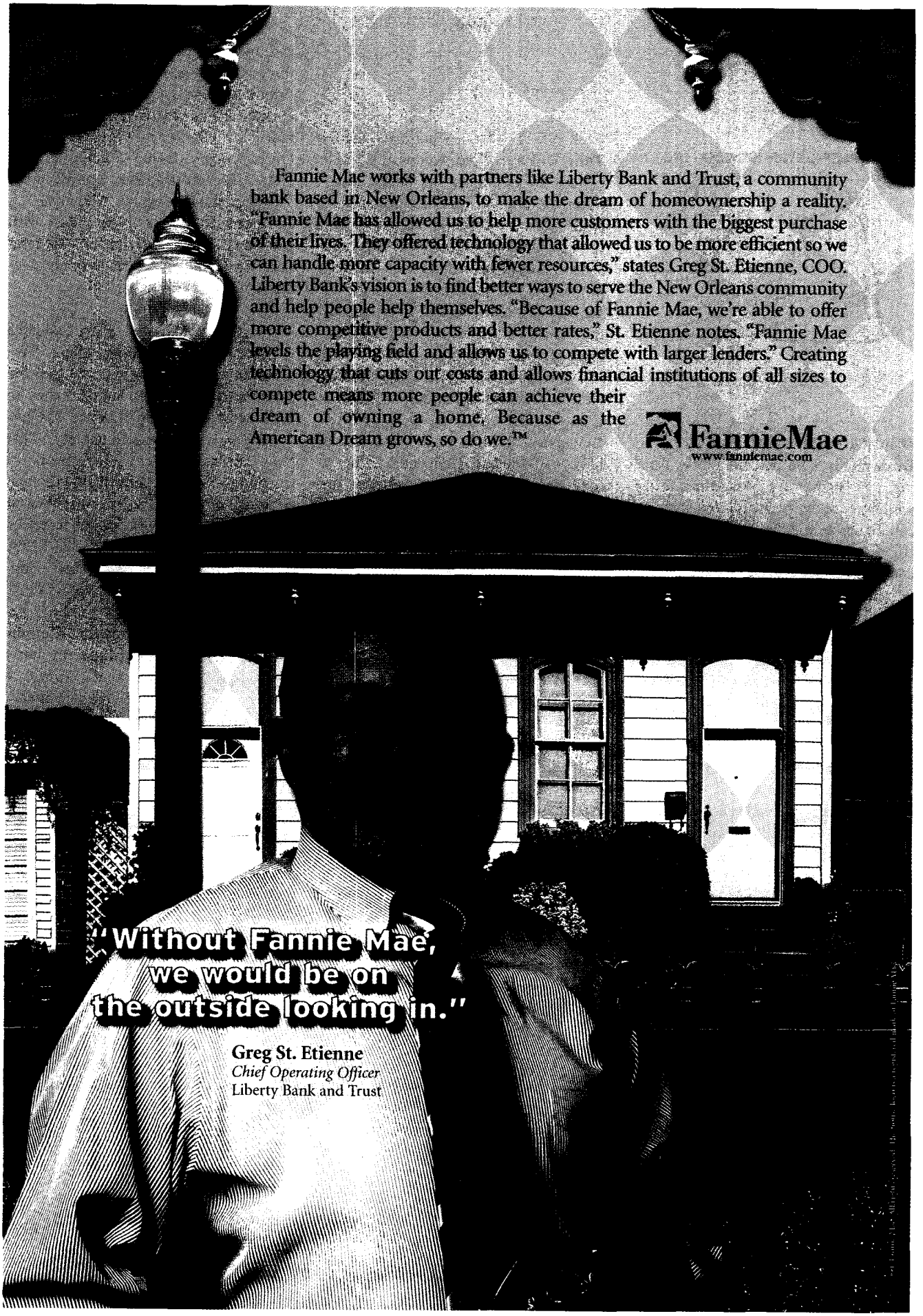
Another solution would be to make the difficulty of passing a spending bill somehow a function of its profligacy. Light spending bills, for example, could be approved by simple majorities, while larger, pork-laden bills would require supermajority support.

Sadly, while an amendment to control federal spending sounds like a good idea, is any Congress really going to do away with its power to buy votes? Forget constitutional amendments—maybe it's time for a Constitutional Convention.

Greg Walker
Chico, Calif.

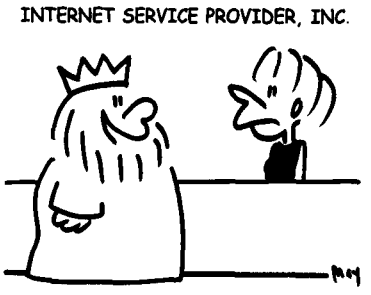
Letters should be submitted by e-mail to letters@nationalreview.com, or by fax to (212) 849-2835, or by mail to Letters Editor, NATIONAL REVIEW, 215 Lexington Avenue, New York, N.Y. 10016. Include your full name, address, and daytime phone number.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED


Fannie Mae works with partners like Liberty Bank and Trust, a community bank based in New Orleans, to make the dream of homeownership a reality. "Fannie Mae has allowed us to help more customers with the biggest purchase of their lives. They offered technology that allowed us to be more efficient so we can handle more capacity with fewer resources," states Greg St. Etienne, COO. Liberty Bank's vision is to find better ways to serve the New Orleans community and help people help themselves. "Because of Fannie Mae, we're able to offer more competitive products and better rates," St. Etienne notes. "Fannie Mae levels the playing field and allows us to compete with larger lenders." Creating technology that cuts out costs and allows financial institutions of all sizes to compete means more people can achieve their dream of owning a home. Because as the American Dream grows, so do we.™
FannieMae
www.fanniemae.com
"Without Fannie Mae, we would be on the outside looking in."
Greg St. Etienne
Chief Operating Officer
Liberty Bank and Trust

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

for the record



"I'd like to apply for a domain. . . ."

■ In *Washington Post* poll, President **Bush** receives 48 percent approval rating. . . . Bush: "We passed tax relief, which made the recession the shallowest in economic history." . . . More Bush: "We need good tort laws. You cannot run and expand your business, you can't find work here if people are getting sued all the time." . . . Mason-Dixon poll of Florida voters shows Bush leading **John Kerry**, 51 percent to 43 percent. . . . In *Miami Herald* poll, 58 percent of Hispanics say they support Kerry and 33 percent prefer Bush. . . . In Zogby poll, 52 percent say they would prefer Bush as president during terrorist attack and 40 percent say Kerry. . . . National security adviser **Condoleezza Rice**: "For more than 20 years, the terrorist threat gathered, and America's response across several administrations of both parties was insufficient." . . . More Rice: "We're safer, but we're not safe."

■ Sen. **Ted Kennedy** (D., Mass.), in Brookings Institution speech: "This president has now created the largest credibility gap since **Richard Nixon**. He has broken the basic bond of trust with the American people. . . . Iraq is George Bush's Vietnam." . . . Rep. **Dana Rohrabacher** (R., Calif.) on whether Iraq is Bush's Vietnam, on MSNBC: "It's not his Chappaquiddick, that's for sure." . . . Former governor **Jim Gilmore** (R., Va.), on CNN: "To have a leading United States senator sow discord within the ranks is dangerous for this country, and he ought to back off." . . . House majority leader **Tom DeLay**: "Ted Kennedy's false attacks are nothing more than a transparent attempt to distract Americans from Kerry's old-school tax-and-spend budget. Trotting out the more moderate senator from Massachusetts . . . drives home the fact that Kerry is the most prolific tax-and-spender ever to seek the White House. The more Ted Kennedy on the campaign trail, the better." . . . Sen. **Joe Biden** (D., Del.), on Fox News: "I think President Clinton's greatest sin—mistake—was **Monica Lewinsky**, and that forced him to take his eye off the ball. He lost the ability to lead the nation to take some of the action that [Richard] **Clarke** was suggesting."

■ "Who are they?" says Kerry, of those who criticize him for being Roman Catholic and supporting abortion rights and same-sex unions. "Name them. Are they the same legislators who vote for the death penalty, which is in contravention of Catholic teaching?" . . . **Ralph Nader** says Bush should be impeached. . . . Kerry on Nader, in *New York Times*: "I respect him. I'm not going to attack him in any way." . . . Nader on Democrats, in *Philadelphia Inquirer*: "Oh, the whining! The endless whining! The liberals are always whining! You know, scapegoating me is a sign of a decadent party." . . . Sen. **John McCain** (R., Ariz.) on NBC: "I am not and will not be a candidate for vice president of the United States. And I will not leave the Republican party. Please, please believe me."

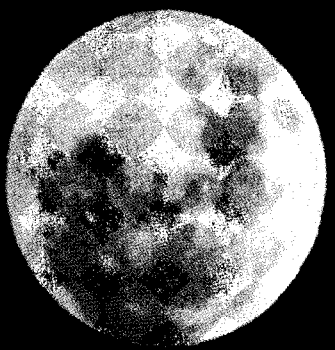
■ Rep. **Pat Toomey** (R., Pa.) debates Sen. **Arlen Specter** (R., Pa.) before GOP primary: "I represent the Republican wing of the Republican party." . . . Club for Growth's **Steve Moore** on Toomey candidacy: "If we beat Specter, we won't have any trouble with wayward Republicans anymore. It serves notice to [Lincoln] **Chafee**, [Olympia] **Snowe**, [George] **Voinovich**, and others who have been problem children that they will be next." . . . In South Dakota, independent candidate **Tim Giago** threatens to becomes spoiler for Sen. **Tom Daschle** (D.), who narrowly leads former Rep. **John Thune** (R.) in polls. . . . After recount in Texas Democratic primary, **Henry Cuellar** defeats Rep. **Ciro Rodriguez**, chairman of Congressional Hispanic Caucus. . . . Former gubernatorial candidate **Bill Simon** (R.) begins to run for state treasurer in California, even though election isn't until 2006.

■ Gov. **Jeb Bush** (R., Fla.) endorses driver's licenses for illegal aliens: "We shouldn't allow them to come into the country to begin with, but once they're here, what do you do? Do you basically say they are lepers to society? That they don't exist?" . . . Despite court challenge, 64 percent of likely voters in Michigan say they support **Ward Connerly**'s anti–racial-preferences initiative, according to EPIC/MRA poll. . . . In Quinnipiac University poll, 70 percent of Connecticut voters think Gov. **John Rowland** (R.) should resign, including 59 percent of Republicans. . . . **Anne Applebaum** wins Pulitzer prize for her book *Gulag: A History*. . . . History Channel apologizes to **Lady Bird Johnson** and family for running documentary last year implicating **LBJ** in **JFK** assassination.

■ "Instead of shouting and criticizing the American initiative, you have to bring democracy to your countries, and then there will be no need to fear America or your people," says **Saif al-Islam Qaddafi**, son of Libyan dictator, in al-Jazeera interview. "The Arabs should either change or change will be imposed on them from outside." . . . Former Haitian president **Jean-Bertrand Aristide** may face corruption charges, says secretary of state **Colin Powell**. . . . German court releases **Mounir el-Motassadeq**, whose conviction as accomplice to 9/11 terrorist attacks was overturned in March.

■ **Jay Leno**: "They say John Kerry is the first Democratic presidential candidate in history to raise $50 million in a three-month period. Actually, that's nothing. He once raised $500 million with two words: 'I do.'" **NR**

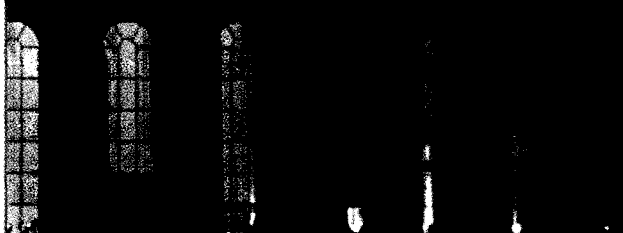
LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED



Celebrating 40 Years of ACU and the Conservative Movement

Keynote Speaker: George W. Bush,
President of the United States

www.conservative.org/gala



THE AMERICAN CONSERVATIVE UNION

40th Anniversary Gala

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

THE WEEK

■ Arlen Specter keeps losing ground. He'll just have to rely on his fabled charm.

■ John Kerry invoked Pius XXIII in his defense. The man's faith is so private, he has his own popes.

■ We may have turned the corner on jobs, with 308,000 having been created in March. Kerry said that one good month did not redeem Bush's overall record of failure. But there is a good chance that this one month will be followed by more of the same—and, worse from the challenger's standpoint, that voters will be mature about the business cycle. Kerry's next complaint is more serious. He joins with liberal economists in worrying that the deficit is a "fiscal cancer" on the economy. It is not an illuminating metaphor. But even if the deficit is a cancer, Kerry has no credible plan for fighting it. He wants to raise taxes, but he wants to raise spending by even more. (Do not, incidentally, be fooled by his appealing promise to slash "corporate welfare." He is not talking about getting rid of subsidies that benefit corporations, such as the farm program. He is talking about raising taxes on companies.) Kerry says that he would create 10 million new jobs and halve the deficit in four years if elected. The economy might indeed create those jobs and shrink that deficit under him—but if so, it will be because of its own strength, not Kerry's budget plan.

■ "Iraq is George Bush's Vietnam, and this country needs a new president," said Sen. Edward Kennedy in a speech at the Brookings Institution. How is that? Is the long air and infantry slog against Vietnamese Communists, supported by two atomically-armed Communist superpowers, like the Iraq campaign? Are the hundreds of casualties we suffered every week at the height of the Vietnam War like the hundreds we have suffered in the year since the drive up the Tigris Valley? Is the conscript army that bore such heavy losses in Vietnam like the professionalized volunteers who are shouldering the load in Iraq? But there is indeed one resemblance: Liberals downplay consequences, exaggerate danger, and find ill will in error. They also have surprisingly little interest in the freedom of people of color. Some of the liberals in both wars are the very same. Iraq is Teddy Kennedy's Vietnam—but so was Vietnam.

■ Former senator Bob Kerrey, a member of the 9/11 commission, questioned national security adviser Condoleezza Rice and also gave a little audition for the Democrats' veep slot. Kerrey inserted a commercial against the conduct of the Iraq war (he was worried that we had put "largely a Christian army in a Muslim nation," as if the Iraqis would prefer Turkish or Iranian occupiers), then fretted that Rice's answers cut into his time. Rice threw a speech of his own back at him (he had said the best response to the attack on the USS *Cole* would be doing something about Saddam Hussein). In response, he called her "Dr. Clarke." Advice to Bob Kerrey's almost namesake: Don't throw out Dick Gephardt's phone number.

Senator Byrd in the mind of Senator Dodd *(see page 10)*

ROMAN GENN

■ Perhaps some of you are worried about the fact that Zack Exley, one of the leading anti-Bush attack dogs at MoveOn.org, has now become a top official of the Kerry campaign. You might remember those Bush-Is-Hitler ads that were entered in a MoveOn contest. You might remember all those millions given to MoveOn by the Bush-hating zillionaire George Soros. And of course you recall MoveOn's recent anti-Bush ad campaign featuring Richard "Bush Let 9/11 Happen" Clarke. Given all that, you might be concerned that Zack Exley will keep up the MoveOn crusade inside the Kerry campaign. Well, rest easy. MoveOn and Exley say they will scrupulously observe the law against "coordination" between campaigns and groups like MoveOn. And perhaps they will. But everyone knows the Kerry campaign and the groups are

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

FREE shipping!

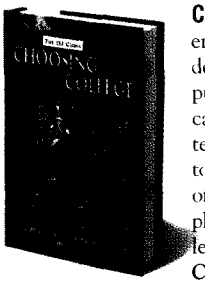
THE NATIONAL REVIEW BOOK SHOP

WONDERFUL **NEW BOOKS—***PERFECT* **GIFTS—***MUSTS* **FOR EVERY FAMILY LIBRARY**

For rush orders call 212-679-7330 (ext. 2840) or order online at www.nationalreview.com

STET, DAMNIT! Florence King is back—in the big, new, complete and unabridged hardcover collection of her beloved column that ruled *NR*'s back page for over a decade. Now you can relish again Miss King smacking her masterful prose like a two-by-four upside the thick heads of busybodies, whiners, chin-droolers, huggers, store-greeters, teddy-bear memorializers, and all of society's more annoying types. All the vim, vigor, and verbal vinegar that made "The Misanthrope's Corner" a must-read is here—every single thoroughly enjoyable, eye-poking, nincompoop-poohing word—in ***STET, Damnit!*** A must-have, will-love book!

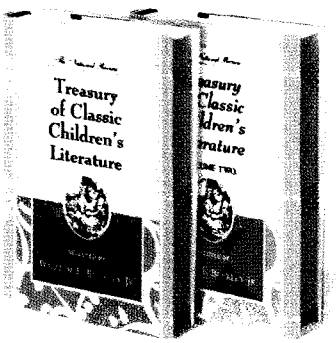
free *shipping/handling!* **'STET, DAMNIT!' ORDER CODE FK $29.95 each**



CHOOSING THE RIGHT COLLEGE is *the* es-sential reference resource for prospective students. Its 954 pages offer detailed profiles of over 120 of the nation's top private and public colleges and universities, covering core curricula, campus crime, student living arrangements, the quality of teaching, professors to seek out, courses and departments to *avoid*, and so much more, through candid assessments of each school's academic curriculum, political atmosphere, and campus life. Don't even *think* of looking at colleges (and spending over $150,000!) before you get ***Choosing the Right College!***

free *shipping/handling!* **'RIGHT COLLEGE' ORDER CODE RC $29.95 each**

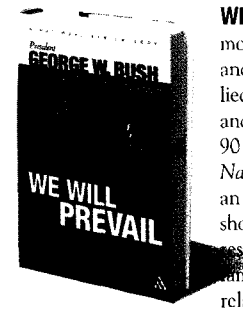
NR'S "CLASSIC CHILDREN'S LITERATURE" TREASURIES (ORIGINAL AND NEW 'VOLUME TWO') are *musts* for every home —can you imagine *better* gifts for young readers?! Each book is a lavishly illustrated quality hardcover, each with 528 pages that contain over three dozen fabulous stories—personally selected by William F. Buckley Jr.!—by literary giants, including Mark Twain, Rudyard Kipling, Lewis Carroll, L. Frank Baum, Louisa May Alcott, Jack London, Frances Hodgson Burnett, Thornton Burgess, Joel Chandler Harris, Howard Pyle, Bret Harte, and many more *gifted* (but *forgotten*) writers whose stories are priceless gems. And now they are polished, gleaming, and yours to enjoy!



free *shipping/handling!*

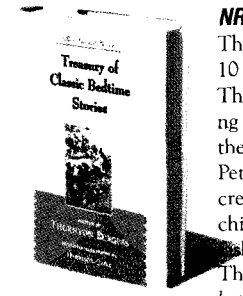
'ORIGINAL' EDITION ORDER CODE K1
$29.95 each ($24.95 additional copies)
'VOLUME TWO' ORDER CODE K2
$29.95 each ($24.95 additional copies)

Catholic Parent magazine praised the first "Treasury" as an "excellent, wholesome" book filled with "wonderful children's stories that will delight, entertain and nourish your youngsters and teenagers." And the *Wall Street Journal* heartily endorsed both books (*and* our "Bedtime" book!) thusly: they'll "excite in children an appreciation for the human condition." Every story in these two volumes—whether about knights and princesses, giants or dwarfs, beggars and angels, whether tales of daring and silliness . . . or even saintliness, with brave girls defending their country and intrepid boys risking their lives to rescue others—is *wholesome*, and will entertain, instruct, and inspire. Why not inspire a deserving young child—give him *NR*'s ***Classic Children's Literature*** treasuries!



WE WILL PREVAIL is the definitive collection of the most compelling and inspiring speeches on war, terrorism, and freedom given by President George W. Bush as he rallied the United States and other nations after the terrible and tragic attacks of September 11, 2001. Featuring over 90 speeches, proclamations, and statements selected by *National Review*—with a Foreword by Peggy Noonan and an Introduction by Jay Nordlinger—***We Will Prevail*** shows a war president handling the special rhetorical responsibilities of a war presidency. It is a must for every family library, and a special gift for that patriotic friend or relative (or your local school and library!).

free *shipping/handling!* **ORDER CODE WW $24.95 each**



NR'S TREASURY OF CLASSIC BEDTIME STORIES
This big new hardcover book (over 360 pages!) contains 10 delightful "Bedtime" stories written by the great Thornton W. Burgess (and brightened by 60 enchanting drawings by the renowned Harrison Cady!). They're the *very* stories—featuring Reddy Fox, Johnny Chuck, Peter Cottontail, and dozens of other colorful woodland creatures—that delighted generations of American children. Simple, well-written, and refreshingly old-fashioned, these stories entertain *and* teach a moral. They're perfect for beginning readers, and they're *exactly* the kind of little dramas you can read to wee ones at night as a prelude to sweet dreams. This is one book you *must* share with a deserving child.

free *shipping/handling!* **ORDER CODE K3 $29.95 each ($24.95 additional copies)**

MAIL TO: **NATIONAL REVIEW, 215 LEXINGTON AVENUE, NEW YORK, NY 10016 (FAX: 212-696-0340)**

Send me these {
K1 ___ $29.95 first copy/$24.95 extra copies Treasury Original
K2 ___ $29.95 first copy/$24.95 extra copies Treasury Vol. 2
K3 ___ $29.95 first copy/$24.95 extra copies Bedtime Stories

FK ___ copies at $29.95 each STET, Damnit!
RC ___ copies at $29.95 each College Guide
WW ___ copies at $24.95 each We Will Prevail

$ _____ *SPECIAL SHIPPING OPTION: Add $5.00 if you want your books sent via* UPS Ground*—this is an* option!).

$ _____ TOTAL PAYMENT (Foreign orders add $3.00 for shipping/handling. New York State residents must add sales tax.)

Name _____

Address _____

City _____

State _____ ZIP _____

PAYMENT INFORMATION: ☐ Check enclosed (payable to *National Review*) ☐ Bill my credit card. Select one: ☐ MasterCard ☐ Visa

CC # _____ Exp.Date _____ Signature _____

CALL US AND WE WILL SEND GIFT ORDERS AT NO EXTRA CHARGE (WE'LL EVEN INCLUDE A HANDSOME ANNOUNCEMENT CARD)! ORDER ONLINE AT WWW.NATIONALREVIEW.COM; FOR RUSH ORDERS CALL 212-679-7330/EXT. 2840 (M-F/9AM-4PM/EST)

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

THE WEEK...

working from the same script, even if their actions do not fit the legal definition of "coordination." Kerry's decision to hire Exley simply highlights the like-mindedness of the Democratic campaign and such radicals as MoveOn.

■ Kerry's bishop said that he should not present himself for communion as long as he supports abortion, and Kerry shot back: "I don't tell church officials what to do, and church officials shouldn't tell American politicians what to do in the context of our public life." Does Senator Kerry really mean to suggest that the Catholic archbishop of New Orleans was wrong to excommunicate Catholic politicians who favored segregation? The church has no power to force Kerry to vote in a particular way. But it may say that he commits a grave sin in denying justice to the unborn, that he should form his conscience according to church teachings, and that in violating those teachings he is wounding the unity of the church in a way that makes him ineligible for communion. Not only "may"; must. To rebuke a churchgoer for a grave sin and to ask him to mend his ways is an act of charity that the church cannot refuse. Ideally, that rebuke would be delivered in private. But if the sinner denies the sinfulness of his action and, worse, distorts Catholic teaching to justify himself, that rebuke must be delivered in public to maintain the integrity of that teaching. A public rebuke may hurt Kerry's career or, by generating a backlash, help it. But the bishops would fail their flocks if they did not insist that the church be the church, whatever the political consequences.

■ Pat Toomey continues to make headway against liberal

Pay It Forward

THE evidence is mounting that President Bush's dividend tax cut, enacted last spring, may be stimulating the economy even more than its most ardent supporters predicted.

Proponents of the dividend tax cut argued that it would help the economy grow in two ways. First, taking the maximum tax rate on dividends from 39.6 percent to 15 percent would make dividend-paying stocks more valuable. Second, the tax cut would induce firms to increase their dividend payouts to shareholders. In the wake of the corporate scandals, it was hoped that an increased emphasis on cash dividends would lead to better corporate governance. Bogus accounting can artificially bid up share prices, but it cannot directly put money in stockholders' hands.

It is now beyond dispute that the stock market got a nice bounce from the Bush tax cut. Stock prices have risen on average by roughly 25 percent since it was signed into law. One of the most insightful economists who predicted this surge in the stock market was Donald Luskin of TrendMacrolytics. As Luskin wrote: "Cause-and-effect relationships are nearly impossible to conclusively prove when stock prices are involved. But considering that stock prices are so much higher since the tax cuts, the burden of proof is on the skeptics."

Even more remarkable has been the dividend windfall that America's more than 100 million shareholders have been enjoying of late. In the '90s, we had a corporate culture that interpreted the paying of dividends as a sign of weakness—an admission by management that they could not usefully reinvest their profits. Until last year, Microsoft never paid a dividend, even though the firm resembled a fat mother hen sitting atop a golden egg of $50 billion in cash reserves. Why no payouts? As Thomas Smith, president of Prescott Associates, a Connecticut investment firm, explains: "The tax code severely punished a dividend payout, because the corporation pays a 35 percent tax on the profits and then any dividend payment from those profits is taxed again as income to the shareholder." Paying a dividend under the old tax regime was not a "tax-rational option."

Now it is. Standard & Poor's reported recently a "massive increase in dividends" that has "reversed a 20-year decline." Tom Smith estimates that dividend payments have increased about 40 percent since the tax cut. The accompanying chart confirms this renaissance in dividends over the past twelve months—especially among high-tech firms. Several Fortune 500 firms that have rarely if ever paid a dividend started sending out checks late last year. Microsoft paid out more than $1 billion in dividends last year, something that CEO Steve Ballmer has said would not have happened absent the Bush tax cut.

DIVIDEND PER SHARE

Firm	Before 2003	Since the Bush Tax Cut
Best Buy	$0.00	$0.40
Citigroup	$0.72	$1.60
Clear Channel	$0.00	$0.40
Kinder Morgan	$0.40	$2.25
MGM	$0.00	$8.00
Microsoft	$0.00	$0.16
Nike	$0.56	$0.80
SpectraLink	$0.00	$0.10
Wal-Mart	$0.30	$0.52

SOURCE: STANDARD & POOR'S

So what difference does it make to our economy that firms are paying out dividends again? One obvious answer is that shareholders are better off both because stock values have risen and because they are receiving more of the cash. Moreover, the reduction in the dividend tax has increased economic efficiency. By discouraging dividends, the tax code distorted the allocation of capital. By eliminating that distortion, the tax cut has put the U.S. economy on a path to higher long-term growth.

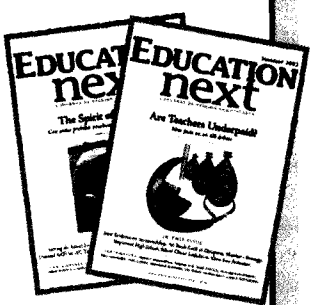
Arguably, the dividend tax cut has scored the greatest payoff of any economic policy change the Bush administration has initiated. A cynic might say that is why the Kerry Democrats are so eager to repeal it.

—STEPHEN MOORE

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

No Child Left Behind: No Unfunded Mandate

INTERESTED IN CUTTING-EDGE IDEAS ABOUT K–12 EDUCATION?



SUBSCRIBE TO
Education Next: A Journal of Opinion and Research

Visit us online at www.educationnext.org or call 800.935.2882 to receive a free copy.

It has been said, more than once, that the No Child Left Behind (NCLB) Act is a mandate that the federal government has failed to fund. Not true. The law is neither unfunded nor, with one exception, much of a mandate.

On the funding side, it costs about twenty dollars to test a student, the only thing NCLB requires all schools to do. Meanwhile, federal dollars have risen steadily since the law's passage; the average district now receives three hundred dollars more per pupil from Washington than it did in 2000.

Other than this test requirement, schools are asked only to show adequate yearly progress toward state- (not federal-) determined goals.

What are the consequences of failing to make this progress? Not much. If a school fails for two years running, the only requirement is to let its students transfer to one of the district's nonfailing schools.

In most cases, inner-city children are not given access to a suburban school, a private school, or a charter school outside the district's boundaries.

Roughly 20 percent of students in big cities currently attend "failing" schools, a percentage certain to rise as the "adequate yearly progress" rule becomes increasingly stringent. Unless schools improve quickly—or states ease their academic standards—most big-city schools are in danger of being defined as failing. With every school so designated, the choice mandate vanishes.

The parental demand for choice remains high. Surveys show that over a fifth of the parents in failing schools would like to consider an alternative. But in practice less than 1 percent of all students in failing schools are switching schools. Some hurdles, such as transportation costs, are practical. But many school districts are actively discouraging parents when they apply. As one Worcester, Massachusetts, official put it, "the feds told us we had to offer a choice, not the parents' choice, but a choice."

After three years, failing schools must also give students tutoring or other extra services. For this, the federal government is providing more than enough funds to pay current costs—and still more money is on its way. The original idea was to bring new providers into education to supplement the work of failed schools, but in many districts the majority of these services are being provided by the district itself.

If schools fail five years in a row, they are to be "reconstituted." Will this mandate, at least, have a bite? Perhaps, but early returns suggest that it has more the teeth of a minnow than of a shark.

Still, there remains one potent mandate. Because of the NCLB testing requirement, parents and taxpayers are being told, more clearly than ever, how much students are learning at school. The feds are making school officials and union leaders squirm under the bright light of continuously available information about school performance. What's so bad about that?

—Paul E. Peterson

Paul E. Peterson is the Henry Lee Shattuck Professor of Government, Harvard University; senior fellow, Hoover Institution; and member, Hoover's Koret Task Force on K–12 Education.

Paid for by the Hoover Institution, Stanford University.

HOOVER INSTITUTION

. . . ideas defining a free society

Hoover Institution Stanford University Stanford, CA 94305-6010 Tel: 877.466.8374 Fax: 650.723.1687 info@hoover.stanford.edu www.hoover.org

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

THE WEEK...

Republican senator Arlen Specter. The polls keep showing the race tightening. Toomey forced Specter to agree to a debate; even the moderator said that Toomey "made the better showing." Perhaps the best evidence of a Toomey surge is that Specter had to place a rescue call to the White House. President Bush will stump for Specter in the closing days of the campaign. We hope that Pennsylvania Republicans listen respectfully to the president, and then reject his advice. And if Toomey wins the nomination, we hope that the party establishment will work as hard for him this fall as it has worked against him this spring.

■ Republicans control both chambers of the Virginia legislature. But the senate Republicans, and a third of the house Republicans, are helping Democratic governor Mark Warner to raise taxes. Yet it is not as though the state faces some crisis of low revenues. Spending has risen substantially in recent years, and there is room for it to grow another 11 percent this year with no tax increase. The previous Democratic governor, Doug Wilder, says that he is appalled that Warner is breaking his promise not to raise taxes. The tax-raising Republicans are congratulating themselves for their alleged courage, and receiving the favorable press one expects in these situations. We hope, and trust, that primary voters will be less enthusiastic.

■ Sen. Chris Dodd recently praised his colleague and fellow Democrat Sen. Robert Byrd by saying that "he would have been a great senator at any moment. . . . He would have been in the leadership crafting this Constitution. He would have been right during the great conflict of Civil War in this nation." Since Byrd was a kleagle of the Ku Klux Klan during the 1940s, it is at least doubtful that he would have "been right" 80 years earlier, and some Republicans, looking for a reverse Trent Lott fiasco, jumped on the second half of Dodd's remark. But what's with all this "crafting the Constitution" stuff? If Robert Byrd had been in Philadelphia in 1787, there wouldn't have been enough pork in the infant nation to get him to sign. Maybe senators should limit praise to the praiseworthy. (In the stillness, you would hear waves lapping in the Tidal Basin.)

■ President Bush signed the ban on partial-birth abortion in November, but now our second legislature—the federal judiciary—is deciding whether to accept or veto it. The abortion lobby is challenging the ban in three federal courtrooms. Bush's Justice Department is defending it. Even the pro-abortion witnesses are helping to make the case for the law. In a New York courtroom, a judge got one abortionist to admit that he could not "think of a circumstance that would require [a partial-birth abortion] for maternal health conditions." The law's opponents are left arguing that since partial-birth abortion is not a distinct medical procedure, laws against it will end up outlawing other abortions as well. This claim contradicts their other argument, that partial-birth abortion is a (distinctly) "safer" procedure than the others. Besides, courts are perfectly capable of restraining overzealous prosecutors should any come to them. This law will stand if the courts behave as courts, rather than as activists.

■ The president's council on bioethics, aka the Kass council, is again being criticized—but this time, by social conservatives. The council has recently come out for two reforms. It has asked Congress to set an age limit on research conducted on human embryos, so that research that destroys embryos older than, say, 14 days will be illegal. It also suggested that Congress make illegal the cloning of a human embryo with the intent of implanting it in a woman's womb. The Catholic bishops and Focus on the Family both condemned the proposals. The age limit, in these organizations' view, amounts to implicit approval of research that destroys the youngest human embryos. The prohibition on cloning with an intent to implant, in their view, would be unenforceable. We accept part of the criticism. We would prefer a ban on all research that destroys human embryos. We also would prefer a simple ban on cloning, not least because it would indeed be more effective at stopping rogue scientists. But a ban on research after 14 days is far preferable to the legal status quo, in which research is possible for nine months (and, with clones, possibly longer). And the cloning regulation would prevent the formation of a cloning industry that, again, faces no current legal obstacles. Biotech enthusiasts have not objected to these proposals. Wait a few years, and both fetal research and the manufacture of children may become too widespread to stop. Conservatives should act on this consensus, while reserving the right to push the consensus further toward the protection of human life.

■ The ACLU has filed a class-action suit against the government, challenging its "no-fly list" on grounds that it violates passengers' constitutional rights to privacy and due process. No doubt the Transportation Security Administration's procedures could use some improvement. Owing to the deficiencies of the current Computer Assisted Passenger Prescreening System (CAPPS I), there are far too many "misidentifications": Innocent travelers are hindered when their names coin-

ROSY-FINGERED DAWN

The Indians—who would have thought?—
Move jobs to the hated U.S.,
And China begins to outsource,
As Democrats, rattled, obsess;
Concurrently, equities rise
With business, now shaking a leg,
While Greenspan guards interests like
Cantankerous swans on an egg.

—W. H. VON DREELE

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

cide too closely with those of suspects. There ought to be a simple process for those consistently "misidentified" to have their names removed from the database. The system's planned successor, CAPPS II, promises to be more effective at assessing risks, but the ACLU is already complaining that it will allow too much government intrusion. The no-fly list, however, is less about being "banned" from flying or being strip-searched at gunpoint than about enduring a few extra questions at departure. It is not the grand constitutional issue of our times, and the ACLU's hyperbole endangers us all.

■ Media moralists are convinced that something has to be done about stock options. Companies are supposedly hiding the costs of the options they are issuing to their executives. The government's accounting-standards board is being pressured to require companies to estimate the cost of options when calculating the bottom line. The trouble is that nobody knows how much an option will cost until the time the person who has it chooses to exercise it. There are various models for predicting this cost, but substantial technical debate surrounds the subject. The board therefore seems inclined to require companies to come up with a cost estimate without forcing them to use any particular model. This requirement will almost surely expose companies to litigation when the estimates prove wrong (as they surely will). As Kevin Hassett and Peter Wallison of the American Enterprise Institute point out in a new paper, fear of trial lawyers will inhibit companies from issuing stock options in the first place. The high-tech industry is rightly concerned that start-ups, which have depended on stock options, will be discouraged. The industry's allies in Congress are pushing legislation to keep the board from taking action. The moralists, most conspicuously the *Washington Post* editorial page, are outraged that congressmen might get involved in setting regulations. Those decisions, the *Post* lectures, should be left to experts. So long, that is, as the experts are receptive to the demands of the right editorialists.

■ Wal-Mart, our biggest and arguably best company, has suffered a defeat. They wanted to convert 60 barren concrete acres in Inglewood, Calif., into a Supercenter. A referendum was scheduled. The Left—the usual gang: unions, activists, the media—campaigned fiercely. The voters said no to Wal-Mart. Too bad. If they prefer 60 barren concrete acres to a Supercenter, that's their business. But the prejudice against Wal-Mart, and the superstitions concerning same, are outrageous. This is a company that employs over a million people and sells very good products at very low prices to many, many millions more. The people of Inglewood are black and Hispanic, and not rich; they could have used that store; instead, they were sold—they bought—a bill of goods. Wal-Mart can take a kind of comfort in the fact that it is so hated:

Glenfiddich
The
independent
spirit.
Distilled by an independent family company.
Bottled as Glenfiddich, which means "valley
of the deer." Matured at its own Highland
distillery for a full 15 years – our Solera
Reserve single malt features delicious notes of
oak, honey, vanilla spice, fruit and sherry.
Glenfiddich
glenfiddich.com
AGED 15 YEARS

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

THE WEEK...

Its historic success has made it so. And its enemies? All the right people. Congratulations, Wal-Mart.

■ Bill Perkins, a member of the New York City Council, wants to name a street after Benjamin Davis (1904-1964), a former city councilman and member of the Communist party. "Many heroes of that era need to be looked at again," Perkins explains. What is heroic about Davis? He entered politics under the wing of the flamboyant Harlem pol Adam Clayton Powell. But unlike Powell, who combined leftism with pizzazz and shiftiness, Davis was a down-the-line Stalinist; Khrushchev's admission of Stalin's crimes did not faze him, still less the crimes themselves. One of the tragedies of 20th-century America was the attraction the extreme Left held for disaffected blacks. Yet, as the hero/narrator of Ralph Ellison's *Invisible Man* learns, the Communist party treated its black acolytes as pawns in its own brutal games. We may pity the wicked who are also deluded; we should not honor them.

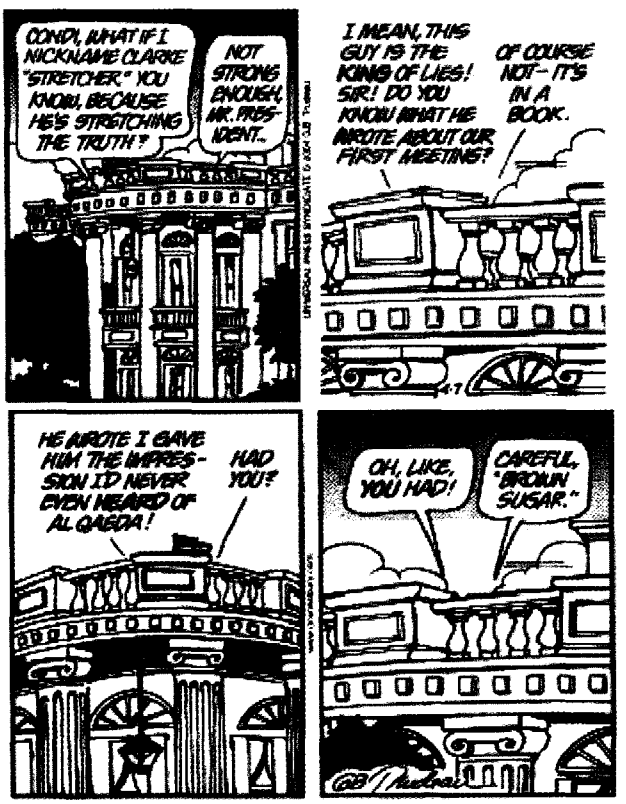
■ The other bright new idea in Gotham, besides naming streets after Communists, is to let non-citizens who are legal immigrants vote in New York City elections. (We like the caveat about legal immigrants; the truly progressive stance would be to let illegal—sorry, *undocumented*—immigrants vote too.) New York City councilman Bill Perkins (a busy man) said, "This effort is as American as apple pie." So why not wait for these eager would-be voters to become, you know, Americans?

■ At a fundraiser in Los Angeles, President Bush joked, "I used to think my brother, Jeb, was the coolest governor," referring of course to the superior coolness of California's own governor, Arnold Schwarzenegger. The president couldn't be more right: Where Schwarzenegger had the cojones to stand up to the illegal-immigrant lobby, Governor Bush has capitulated, and is now backing a bill that would allow illegals to obtain Florida driver's licenses. His justification: "We shouldn't allow them to come into the country to begin with, but once they're here, what do you do?" Apparently *deportation* isn't in Jeb's vocabulary; *pandering*, on the other hand, is. Latinos account for 16.8 percent of the state population, and the reliably Republican Cuban contingent has dwindled to less than one-third of Florida's total Hispanic population. Bush may regret his move, however, given that voters may find homeland security a bit more important than the desire of illegals to drive legally. Several of the 9/11 hijackers had Florida licenses, which allowed them to rent cars and otherwise go about their business undisturbed. But once Mohamed Atta is here, what do you do?

■ Question: Who is the most widely syndicated op-ed columnist in the United States? Answer: Cal Thomas, who is celebrating his 20th anniversary as a syndicated columnist. He has also written ten books, has a Fox News Channel show (*After Hours*), does a daily radio program . . . Hats off.

■ Last year, Oliver Stone made a movie called *Comandante*. It was a valentine to Fidel Castro. But then Castro did something rude: He threw 75 democrats and dissidents into dungeons. HBO refused to run *Comandante* (although it was shown elsewhere). The timing was just too awkward. So Stone went back to Cuba and made another movie, called *Looking for Fidel*. He says that this one is more critical. Castro gave Stone an additional 30 hours. Said Stone to an interviewer, "He [Castro] sees something in my eyes that he trusts." No doubt. No doubt.

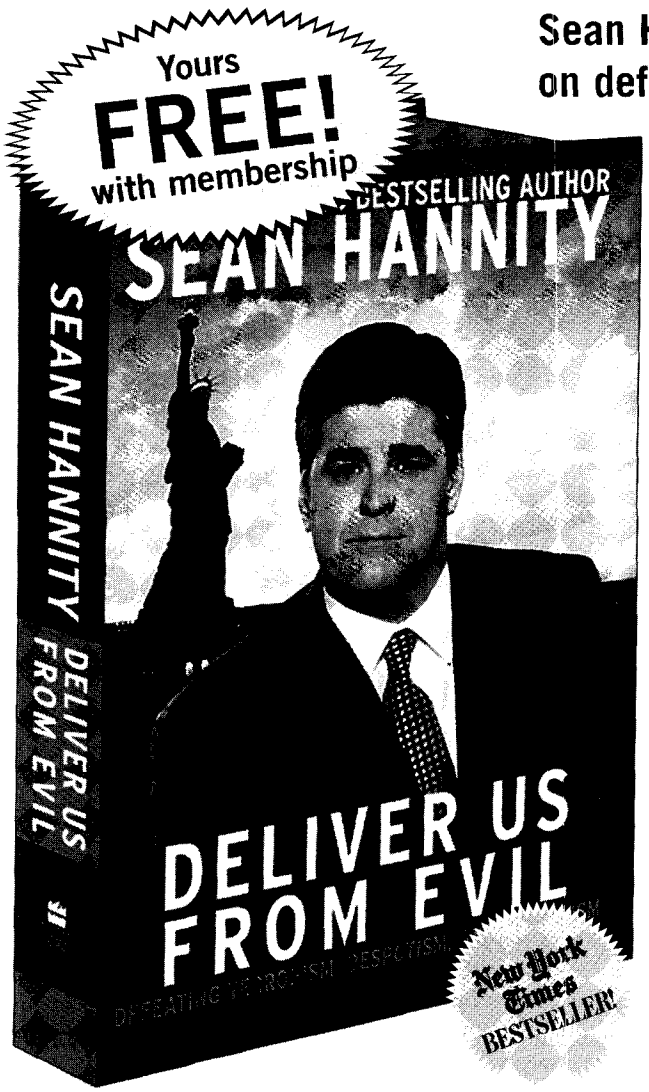
■ Below is a recent example of Garry Trudeau's *Doonesbury*. You can form your own commentary. As for us, we'll only say, "Oh, the things they get away with!" ("they" being liberals, of course).


CONDI, WHAT IF I NICKNAME CLARKE "STRETCHER." YOU KNOW, BECAUSE HE'S STRETCHING THE TRUTH?
NOT STRONG ENOUGH, MR. PRESIDENT.
I MEAN, THIS GUY IS THE KING OF LIES! SIR! DO YOU KNOW WHAT HE WROTE ABOUT OUR FIRST MEETING?
OF COURSE NOT- IT'S IN A BOOK.
HE WROTE I GAVE HIM THE IMPRESSION I'D NEVER EVEN HEARD OF AL QAEDA!
HAD YOU?
OH, LIKE, YOU HAD!
CAREFUL, "BROWN SUGAR."

■ In a turn of events surprising to no one, Donna Mills, the dreadlocked Manhattan supreme-court judge on trial for driving under the influence, has been acquitted. It didn't matter that Mills was so intoxicated that an arresting officer "had to put [his] hands under her armpits and literally help her out of her car." Nor did it matter that Mills's drinking buddy testified that the judge had been imbibing Scotch steadily for seven and a half hours the night of the arrest. What mattered was that Mills—starting the minute the cops approached her—maintained that her only crime was Driving While Black. What mattered more was that she was tried by an all-minority Bronx jury. What matters most to us, however, is the dream that one day we will live in a nation where drunk drivers will be judged not by the color of their skin, but by the alcohol content of their blood.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Defending our Freedoms at Home and Abroad



Sean Hannity delivers an essential handbook on defeating terrorism, despotism and liberalism

In the two years since 9/11, says Sean Hannity, too many Americans have forgotten why we are fighting the war on terror, and what's at stake. Enter ***Deliver Us From Evil: Defeating Terrorism, Despotism and Liberalism***. This trenchant new book from one of the nation's hottest conservative TV and radio personalities gives you Hannity's compelling conservative perspective on the harsh lessons America has learned in confronting evil in the past and the present—in order to illuminate the course we must take now.

Tracing a direct line from Adolf Hitler and Joseph Stalin to Saddam Hussein and Osama bin Laden, Hannity reminds us that our nation's greatest leaders didn't try to ignore or appease totalitarianism and terror, but confronted them fearlessly. And, he reveals how the disgraceful history of appeasement didn't end with Neville Chamberlain or even Jimmy Carter, but lives on in some of the most influential unrepentant leftists of today's Democratic Party—including Howard Dean, John Kerry, and Bill and Hillary Clinton.

Hannity reminds us that the war on terror must be fought not only in Iraq and Afghanistan, but at home, where patriotic Americans must confront and reject these voices of accommodation and cowardice. Join the Conservative Book Club and learn how we can preserve America's security and liberty in the dangerous twenty-first century!

Benefits of Membership and How the Book Club Works

INSTANT SAVINGS! Join today and get *Deliver Us From Evil* absolutely FREE, plus shipping and handling. Then take up to one year to buy two more books at regular low Club prices (20-50% below retail). After you have paid for your books, your Membership can be ended by you or the Club. Plus you will also get the opportunities to buy from our list of Superbargain books that the Club regularly offers. These books are offered at 70-90% discounts!! (Sorry, Superbargain books don't count toward your book commitment).

SHOP AT HOME CONVENIENCE! Up to 16 times a year you will receive the Club Bulletin packed with the kind of books you will want to read and own. Each Bulletin will describe a Featured Selection chosen just for our Members. Also included are a number of alternate selections about politics, religion, history, home schooling, investing, and other areas of interest to conservatives.

CBC ONLINE! You can now read about and conveniently order CBC books from our website at www.conservativebookclub.com. Same discounts apply, of course. And, with regularly scheduled live chats with our authors and members-only bulletin board, you can keep up with the conservative community on a range of important issues.

100% SATISFACTION GUARANTEED! If you are not completely satisfied with any book, return it and receive a complete credit. Plus you will always have at least ten days to make your decision to receive the Featured Selection. If you ever have less than ten days, you simply return the book at Club expense for a full credit. One Membership per household please.

☑ **YES!** Please enroll me as a member of the Conservative Book Club under the terms outlined in this ad. Send ***Deliver Us From Evil*** for **FREE** and bill me just for the shipping and handling. I then need to buy only two additional books over the next year at regularly discounted Club prices (20-50% off retail).

C1279-AZ

Name _____

Address _____

City _____ State ____ Zip _____

Email _____

• Prices slightly higher in Canada • Membership subject to approval by the Conservative Book Club

Fill out this coupon and mail to:

CONSERVATIVE BOOK CLUB®
Conservatives Serving Conservatives for 40 Years

1147 **P.O. Box 97196, Washington, DC 20090-7196** 6447

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

THE WEEK...

■ After the Masters, Tiger Woods flew to Fort Bragg, N.C. Why? To do some training with the Green Berets, just as his father had, during the Vietnam War. The young man honors his father, and service to this country, especially during wartime. We will say again: He is an extraordinary young man, on and off the course.

■ Antoine de Saint-Exupéry remains an attractive figure to contemplate, and the mystery of his death 60 years ago has now been cleared up. On July 31, 1944, he took off from Corsica in a Lockheed twin-engined P-38 to scout German forces in the Rhone Valley. He disappeared, age 44. A hero of early aviation and a pioneer of airmail service during the 1920s, he was something of a French Lindbergh. He was famous for *The Little Prince*, but unlike Lindbergh he wrote lyrically of aviation, as in *Night Flight*. According to A. Scott Berg's excellent biography of Lindbergh, Saint-Exupéry, in New York before the war, had an intimate friendship with Anne Morrow Lindbergh, who, after his 1944 disappearance, wrote of a terrible difference between "lost" and "dead." One appreciates the sources of her special feeling. In May 2000, a professional diver found airplane parts at 230 feet. We now know that the serial number of Saint-Exupéry's P-38 is stamped on the fuselage. The parts indicate a vertical dive at high speed, causes probably unknowable. A big loss, Antoine de Saint-Exupéry.

■ A church in Glassport, Pa., had the notion of putting on a show to make the point to worshippers, especially children, that the central figure of Easter is Jesus of Nazareth, not the Easter bunny. Their way of doing this was to stage a scourging of the bunny. The church's youth minister dressed up in a rabbit suit and submitted to a prolonged whipping. A sorry enough story; but no one seemed inclined to emphasize that the offending church belonged to the Assemblies of God, whose most prominent congregant is attorney general John Ashcroft, the Left's great bogey (not bunny). We can't help thinking the liberal media missed a propaganda opportunity here. Why no headlines like "Ashcroft's Church Tortures Easter Bunny" or "Sadistic Spectacle at Ashcroft's Church of Hate"? Pay attention, guys.

■ The arboretum in the city of Derby is believed to be England's oldest public park. It was presented to the city by local worthy Joseph Strutt in 1840. Along with the park, Mr. Strutt also gave the city a fine statue of a boar, based on a 17th-century Florentine original. The boar statue stood in Derby's arboretum for a hundred years until the Luftwaffe, aiming for the city's nearby Rolls-Royce engineering works, knocked its head off. The decapitated statue was then removed. Fast-forward to the present day. The city council has been mulling over plans to restore the arboretum in its historic form, and their plans included a replacement boar statue. But the part of Derby adjacent to the park now has a large Muslim population. Pigs, and therefore boars, are unclean to Muslims. Sensibilities have been offended. Derby City Council has—of course!—a Minority Ethnic Communities Advisory Committee, which lodged protests. (And threats: "If the statue of the boar is put back at the Arboretum, I am told it will not be there the next day, or at least it won't be in the same condition the next day.") The city's non-Muslims have responded with a pro-Boar petition. Is England England? We tremble for the answer.

AT WAR

An End to Illusion

IRAQ seems to have returned to relative stability for the moment. The militia of Moqtada al-Sadr has withdrawn from cities in the south. The power play by the radical cleric did not herald the broad Shiite uprising that many feared, and that was played up by the American press. But his mini-putsch gave the U.S. a glimpse at the abyss in Iraq.

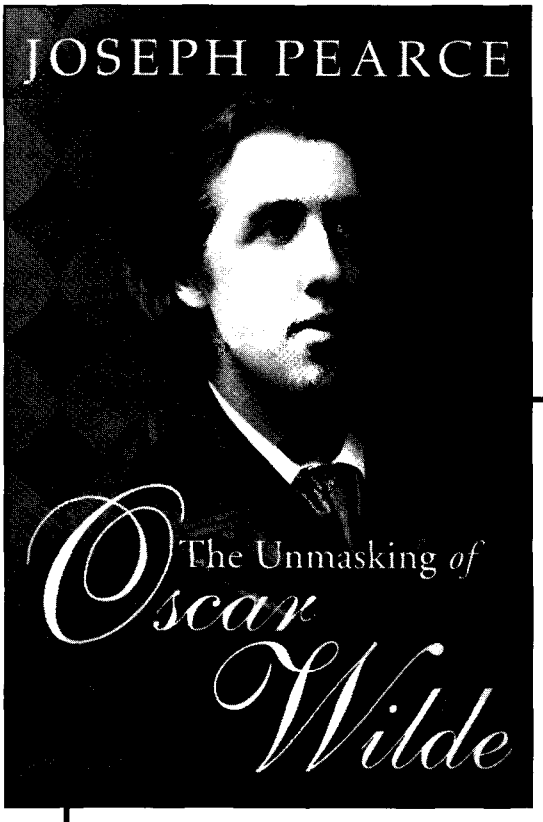
Since the conclusion of the war, the Bush administration has shown a dismaying capacity to believe its own public relations. The post-war looting was explained away as the natural and understandable exuberance of a newly-liberated people. (Now some Coalition officials suggest that a crackdown would have sped the reconstruction.) Secretary of defense Donald Rumsfeld denied the obvious reality of a guerrilla resistance and compared it to urban street crime in the United States. Every piece of good news has been hailed as turning the corner, even as the insurgency has remained stubbornly strong.

Success in post-war Iraq is necessary primarily to serve U.S. interests, secondarily to assist Iraqis.

It is easy now to pick at what seem to have been errors in the occupation. There probably weren't enough troops. The administration probably wasn't determined enough to get international help, even on its own terms—although this would have had to happen in an environment poisoned by U.N. fecklessness and French bad faith in the run-up to the war. The administration clearly wasn't ready for the magnitude of the task that rebuilding and occupying Iraq would present.

Even if the administration had avoided these mistakes and made all moves correctly, it is still possible Iraq would be very messy. But this concession points to an intellectual mistake made prior to the occupation: an underestimation in general of the difficulty of implanting democracy in alien soil, and an overestimation in particular of the sophistication of what is fundamentally still a tribal society and one devastated by decades of tyranny. This was largely, if not entirely, a Wilsonian mistake. The Wilsonian tendency has grown stronger in conservative foreign-policy thought in recent years, with both benefits (idealism *should* occupy an important place in American foreign policy, and almost always has) and drawbacks (as we have seen in Iraq, the world isn't as malleable as some Wilsonians would have it).

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED



"A BRILLIANT INTERPRETIVE BIOGRAPHY of a wit, bon vivant, and literary genius who still delights us a century after his death. In Joseph Pearce's sympathetic appraisal we never forget that Wilde was not just an entertainer but a soul that found himself only after ignominy, loss, and desolation. I have read many of the other books on Wilde, and this is my favorite." **— Ron Hansen,**

New York Times Best-selling Author of *Mariette in Ecstasy*

THE UNMASKING *of* OSCAR WILDE

Joseph Pearce

Vilified by fellow Victorians for his sexuality and his dandyism, Oscar Wilde, the great poet, satirist and playwright, is hailed today, in some circles, as a "progressive" sexual liberator. But this is not how Wilde saw himself. His actions and pretensions did not bring him happiness and fulfillment. This study of Wilde's brilliant and tragic life goes beyond the mistakes that brought him notoriety in order to explore this emotional and spiritual search.

Unlike any other biography of Wilde, it strips away these pretensions to show the real man, his aspirations and desires. It uncovers how he was broken by his two-year prison sentence; it probes the deeper thinking behind masterpieces such as *The Picture of Dorian Gray* and "De Profundis"; and it traces his fascination with Catholicism through to his eleventh-hour conversion.

Published on the 150th anniversary of his birth, this biography removes the masks which have confused previous biographers and reveals the real Wilde beneath the surface. Once again, Joseph Pearce has written a profound, wide-ranging study with many original insights on a great literary figure.

400 pages, ISBN 1-58617-026-0, Sewn Hardcover, $19.95

PRAISE FOR THE UNMASKING OF OSCAR WILDE

"Oscar Wilde looms larger now than ever before, not merely for his wit and rackety life, but, increasingly, for his work. Joseph Pearce has taken on Wilde's most eminent biographers and critics, and has, with his bravura prose, turned our attention away from the prurient, and on to Wilde's achievement. This is a major work."

— **Thomas Howard,** Author, *On Being Catholic*

"Here is the journey of a soul, one who frequently teetered on the brink of damnation, and at times courted it. Beautifully written, and in its own right a work of wit and wisdom, it is a story of redemption."

— **Michael D. O'Brien,** Author, *Father Elijah*

"Joseph Pearce has done it again! Chesterton, Belloc, Tolkien, C.S. Lewis, and now Oscar Wilde have all been coaxed out of their graves for us by this grave-robber named Pearce. Oscar proves to be a very lively ghost."

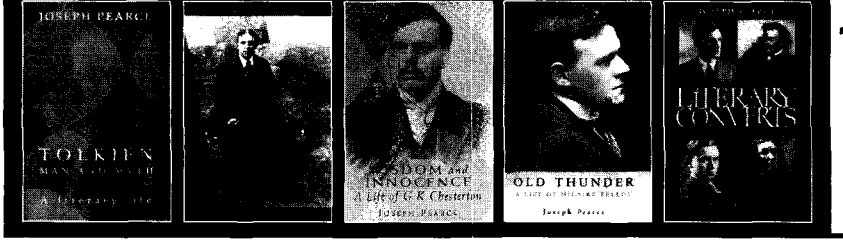
— **Peter Kreeft,** Author, *Love is Stronger Than Death*

"Oscar Wilde has been used by the pagans and abused by the puritans, but both have dealt dishonestly with him. Joseph Pearce not only reveals Wilde as we have never seen him, but reveals himself as a master of biography."

— **Dale Ahlquist,**
Author, *G.K. Chesterton: The Apostle of Common Sense*

Also available by Joseph Pearce

Tolkien: Man and Myth, $14.95
C.S. Lewis and the Catholic Church, $14.95
Wisdom and Innocence: A Life of G.K. Chesterton, $19.95
Old Thunder: A Life of Hilaire Belloc, $24.95
Literary Converts, $24.95



ignatius press
PO BOX 1339,
FT. COLLINS, CO 80522
1-800-651-1531
WWW.IGNATIUS.COM

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

But Iraq was not a Wilsonian—or a "neoconservative"—war. It was broadly supported by the Right as a war of national interest. The primary purpose of the war was always to protect U.S. national security, by removing a destabilizing and radical influence in the strategically crucial Persian Gulf and eliminating a potential threat to the United States. President Bush deserves great credit for grasping this nettle. The current task in Iraq is also driven by national-security concerns. Getting chased from Iraq would make it open season on U.S. interests throughout the Middle East. Allowing radicals to prevail there would be a sharp setback in the War on Terror. And forging a non-fascist, non-radical, non-hostile government in Iraq could affect the entire region's geopolitics for the better. Success in post-war Iraq therefore is necessary primarily to serve U.S. interests, secondarily to assist Iraqis.

In light of recent events, however, we should downplay expectations. If we leave Iraq in some sort of orderly condition, with some sort of legitimate non-dictatorial government and a roughly working economy, we will be doing very well. The first step toward that goal is dealing harshly with our enemies. We must re-establish the prestige and authority that were badly frayed when we watched a crowd of thugs desecrate American bodies in Fallujah. Just as important is the political process. Part of what is happening in Iraq now is a nationalist reaction to being governed by a foreign occupying force. We should do our best to stick to the June 30th deadline for a handover of power. The Governing Council, which appears to lack a deep well of legitimacy, should be dissolved and the "loya jirga option"—the selection of a broadly representative assembly that can in turn elect a cabinet—pursued.

Ultimately, even if our choices now can help or hurt, it is Iraqis who have to save Iraq. It is their country, not ours. In coming weeks and months, we will have to defer to the authorities we hope will eventually take control, in the process endorsing compromises that we will consider less than ideal. But it is time for reality to drive our Iraq policy, unhindered by illusions or wishful thinking. We should do what we can to give Iraqis a chance at a better future, then pray that they take it.

AT WAR II

Rice Uncooked

CONDI RICE had her turn before the 9/11 commission, which has increasingly sullied itself with partisan gotcha games. Rice stymied hectoring Democratic commissioners with a cool and persuasive performance. The central point of her testimony was that for decades the terrorists had been at war with the United States, although we hadn't been at war with them. The idea that President Bush in August 2001 could single-handedly have shifted the country onto a war footing is absurd. This argument is especially rich coming from Democrats who barely support a proper war against terrorism even now, after the September 11 attacks.

Could Bush have done more prior to 9/11? Absolutely. But Rice convincingly argues that the administration was taking all reasonable steps, given the context of the time. It was building on Richard Clarke's ideas for an offensive against al-Qaeda in Afghanistan, widening the proposed policy to include aid to anti-Taliban forces besides the Northern Alliance and preparing a new approach to convince Pakistan to dump its support for the Taliban. When warnings of a potential terrorist attack mounted in the summer of 2001, almost entirely having to do with overseas targets, the administration repeatedly alerted the U.S. military, and the CIA undertook disruption operations worldwide.

Clarke has argued that if the administration had gone to "battle stations" that summer, convening a series of cabinet meetings, a sense of urgency might have been imparted to the bureaucracy and the 9/11 attacks somehow averted. Clarke's model is the Clinton administration's response to the terrorist threat around the time of the millennium. Back then, an alert Customs agent kept a terrorist from crossing the Canadian border in a car filled with explosives. Rice punctured Clarke's case by pointing out that an after-action report said foiling this attempted infiltration had been a matter of luck and that U.S. Customs wasn't even on alert at the time.

Bush critics have focused on an August 6 CIA briefing about bin Laden's intent to attack within the United States. Rice at times has left the impression that this briefing was entirely historical. It was not. But it was largely historical, 14 out of its 17 sentences devoted to relating old information. What was fresher in the memo was alarming, but vague (not nearly specific enough to be actionable) and even false. The memo's report that the FBI had 70 ongoing field investigations of suspected terrorist cells was wrong. The biggest scandal about the August 6 briefing is that the president requested an accounting of the terrorist threat against the United States and got a product so shoddy.

Indeed, the most important lesson from the 9/11 commission's work so far is that U.S. intelligence and federal law enforcement have been deficient for long time. As Attorney General John Ashcroft pointed out in his testimony, the downgrading of the FBI's capabilities was partly a product of deliberate policy, as the Clinton administration put legal obstacles in the FBI's way in response to overwrought civil-liberties concerns. The Patriot Act removed these and other obstacles to effective counterterrorism, and the hearings have demonstrated the absolute necessity of the new law—even Janet Reno endorsed it in her testimony. The deeper problem with intelligence and federal law enforcement has been a culture of caution, instilled by liberal critics over the course of decades and periodically reinforced by second-guessing congressional hearings.

We have yet to truly reform the CIA and the FBI, allowing them to be creative and aggressive enough to meet the terrorist threat. But recent weeks have shown we still have second-guessing down to a science, which would be reassuring if the war on terror could be waged in hindsight or Osama bin Laden defeated by recrimination.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Don't get caught
UNINFORMED
this election year!
Trust us: you
won't if you get

NATIONAL REVIEW

PROUD SOURCE OF

* the best election and political coverage available anywhere,

* inside information on the important issues and debates, and

* ace reporting on the race for the White House, plus top House, Senate, and state contests, all of which comes with

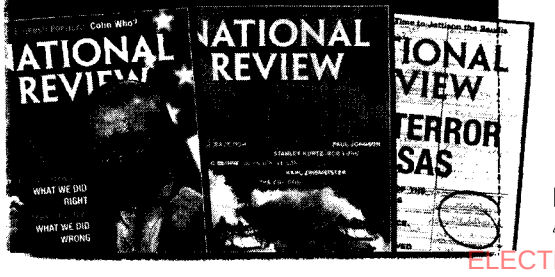
NO LIBERAL BIAS!

YOU'LL GET ALL THAT AND MORE WITH NR'S SPECIAL ELECTION-YEAR 1/2 PRICE OFFER: A FULL YEAR OF NR (25 BIG BIWEEKLY ISSUES!) FOR THE SUPER-LOW PRICE OF ONLY $29.50!

You owe it to yourself—don't let Dan, Tom, Peter & Katie slant how you follow the 2004 elections!

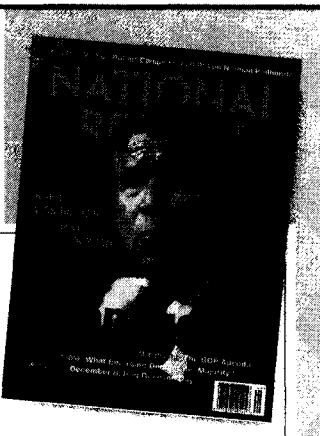
Get a TRUSTWORTHY news source that sees through the spin and past the hanging chads! Get

NATIONAL REVIEW



Special Election-Year Offer

Start my full-year subscription for just $29.50. I don't want to miss a single issue of NR's unsurpassed election coverage—from the madness of the election process to the swearing in of the (new? same?) president in January 2005.



SEND TO:

ADDRESS

CITY

STATE ZIP

☐ $29.50 payment enclosed. ☐ Please bill me for $29.50.

All foreign orders, please add $21.50 (U.S. currency).

B408A

Shrewd. Sharp. Smart.

☑ Yes! Start my full-year subscription for just $29.50. I don't want to miss a single issue of NR's unsurpassed election coverage—from the madness of the election process to the swearing in of the (new? same?) president in January 2005.

SEND TO:

ADDRESS

CITY

STATE ZIP

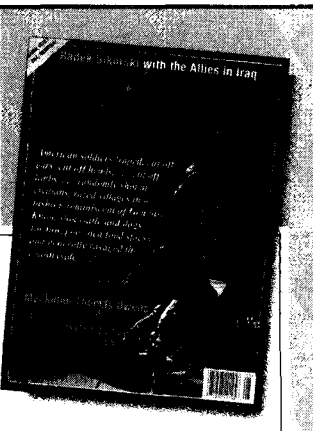
☐ $29.50 payment enclosed. ☐ Please bill me for $29.50.

All foreign orders, please add $21.50 (U.S. currency).

B408B

Guaranteed–No Liberal Bias!

Start my full-year subscription for just $29.50. I don't want to miss a single issue of NR's unsurpassed election coverage—from the madness of the election process to the swearing in of the (new? same?) president in January 2005.



SEND TO:

ADDRESS

CITY

STATE ZIP

☐ $29.50 payment enclosed. ☐ Please bill me for $29.50.

All foreign orders, please add $21.50 (U.S. currency).

B408C

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES

BUSINESS REPLY MAIL
FIRST CLASS MAIL PERMIT NO. 266 MOUNT MORRIS, IL

POSTAGE WILL BE PAID BY ADDRESSEE

NATIONAL REVIEW
PO BOX 667
MOUNT MORRIS, IL 61054-7529

NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES

BUSINESS REPLY MAIL
FIRST CLASS MAIL PERMIT NO. 266 MOUNT MORRIS, IL

POSTAGE WILL BE PAID BY ADDRESSEE

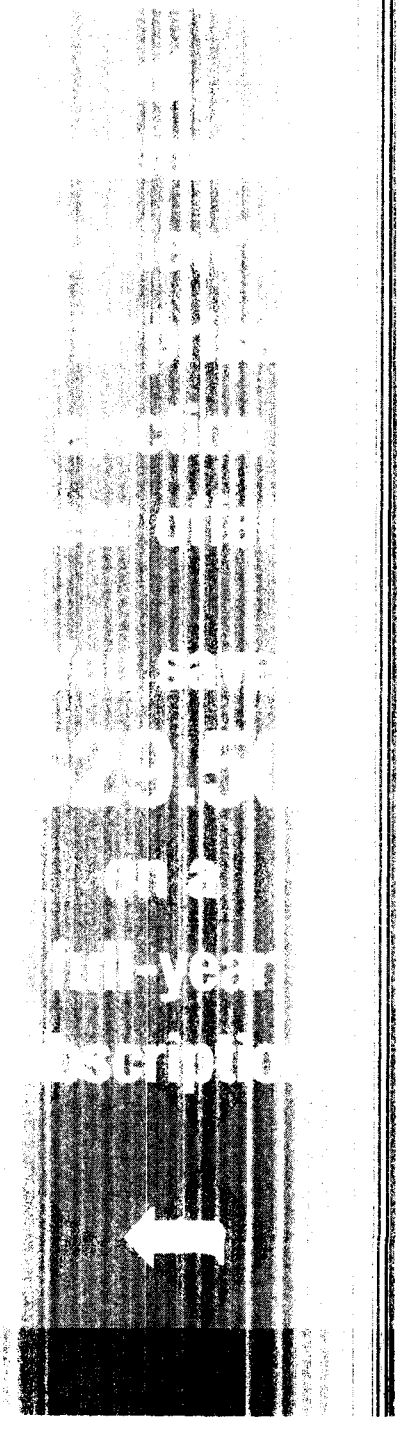
NATIONAL REVIEW
PO BOX 667
MOUNT MORRIS, IL 61054-7529

NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES

BUSINESS REPLY MAIL
FIRST CLASS MAIL PERMIT NO. 266 MOUNT MORRIS, IL

POSTAGE WILL BE PAID BY ADDRESSEE

NATIONAL REVIEW
PO BOX 667
MOUNT MORRIS, IL 61054-7529



LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

AT WAR III

Family Romance

At one point in F. Scott Fitzgerald's *Tender Is the Night*, Dick Diver, the hero, notices, on his way to an assignation, a party of Gold Star mothers—American women whose sons died in World War I—and feels momentarily abashed by the contrast between their unostentatious sturdiness and his frivolity. He had not seen the antics of some of the 9/11 "families."

After 9/11, the survivors of the innocent dead properly received a nation's sympathy. The deaths of their relatives marked a style of warfare appropriate to the 21st century, when civilians will be the primary target of those who are clever, cowardly, and wicked. Our sympathy was tinged by sober thoughts of kinship: There, but for the grace of God, went us. There will go some of us, in the next attack that gets through even our heightened defenses, or the next—for there is no perfect defense against terror, and all have been enlisted, willy nilly, in freedom's army.

But bad things began to happen to the families as a group, and to some of them as individuals. The charity they received was construed to be an entitlement. They became organized and, as in all organizations, operators rose to the top. Some of these have commented on public decisions, as if they had special authority. Spokesmen for the 9/11 families have been one of the ill-fitting New York cogs that have hampered the rebuilding of lower Manhattan, calling for excessive space to memorialize *their* grief, *their* loss. Other family members have attended the hearings of the 9/11 commission, bumptiously applauding the lines that demagogic commissioners have thrown out to them, like fish to seals.

The effort to recover dignity could begin with the reflection that, just as millions of us unwittingly shared the risk on 9/11, hundreds of us have shared the awful fate, before and since. Soldiers and sailors were killed in Khobar Towers and on the USS *Cole*. Postal workers died of anthrax. Suburbanites were murdered by John Muhammad and Lee Malvo, the do-it-yourself jihadists. Daniel Pearl was murdered in Pakistan. Servicemen are still dying in Afghanistan and Iraq. Many of these dead were in uniform, but all wore the uniform of Americans.

If you were expecting a quiet life, you picked the wrong century to live in (true words, even though first uttered by Trotsky). It is no century for preening.

notes & asides

■ Dear Bill: No gifts from Craig Koch at Hertz this year. He found out that I am anti-Bush. The only way he could have known is if someone told him. I hope it wasn't you.

Cheers,
Art [Buchwald]
Washington, D.C.

Dear Art: Well, he wrote to *me* at some length. Beginning soon, Hertz will refuse to rent cars to anybody who is anti-Bush. But you can always ride with me, Art.

Ever, Bill

■ Dear Mr. Buckley:

That English evolves, I've no doubt;
But here's one thing I'd soon do without:
It's "err" pronounced "air"
(Always raises my hair)—
Any chance of your adding your clout?

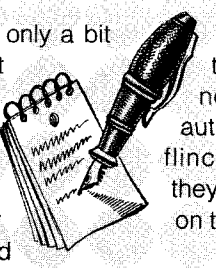
Sincerely,
Don Vollmar
Oakdale, Calif.

Dear Mr. Vollmar: Consider my clout added.

Cordially, WFB

■ Dear Mr. Buckley: Re "Oriental" (Dec. 22): I think the usual explanation for the alleged offensiveness of the word is that it is Eurocentric, being derived from the Latin *oriens*, meaning "rising sun" or "east."

Even though my wife is only a bit less politically incorrect than I am, she thinks it is impolite to use the word. I reply that I will stop using it when the Chinese stop calling their country the "central country" and the Japanese stop calling theirs "rising sun" or "origin of the sun," those being the literal translations of the Chinese and Japanese words for the countries.



Yours sincerely,
Dale E. Elliott
Lovington, Ill.

Dear Mr. Elliott: I think your wife is right and she should divorce you.

Cordially, WFB

■ Dear Mr. Buckley: It was illuminating to read Mr. Horst R. Brakel's comment (March 8) on the "declination" of the verb "to shine." That verbs at present lend themselves to being declined will come as new information to traditional grammarians, accustomed as they are (or were) to conjugating verbs while declining nouns and their modifiers. Since the word in question appears twice one assumes that it was not used inadvertently by the author, and that the editors did not flinch at it. What in retrospect do they think? Please shine some light on this matter.

Sincerely yours,
Barbara N. Bauer
Pittsburgh, Pa.

Dear Mrs. Bauer: Yup, one inflects verbs by conjugating them, nouns by declining them. No quarrel.

Cordially,

—WFB

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

U.S. MARINES IN BAGHDAD, 4/12/04 CRIS BOURONCLE/AFP

■ AT WAR ■

The L Word

How to gain legitimacy in Iraq?

JOHN O'SULLIVAN

MALCOLM MUGGERIDGE was fond of citing this sentence from a *Manchester Guardian* editorial—"One is sometimes tempted to believe that the Greeks do not want a stable government"—as the epitome of high-minded liberal cant in foreign policy. Substitute "Iraqis" for "Greeks," however, and in the light of current events it seems more like hard-headed realism. In particular it illuminates the difficulties surrounding a major theme of current U.S. policy—the quest for a legitimate Iraqi authority.

Legitimacy in Iraq today is considered vital for two reasons: The Iraqi people would presumably be more willing to give active support to a governing authority that had some legitimacy, and such a government would have the moral confidence to suppress riots and punish troublemakers like Moqtada al-Sadr. But where is such legitimacy to be found? Who can claim it?

The U.S. can claim only short-term legitimacy as an occupying power. Right of conquest is no longer considered the basis of legitimate government internationally. Nor does the U.S. wish to establish a permanent colonial government in Baghdad. And even if it did, the fact that the U.S. is not an Islamic power would maximize popular opposition to its permanent rule over Muslims. Its legitimacy would need to be constantly replenished by force—in effect, by successive conquests—as British rule was in the 1920s. Very few people in Washington want that.

The United Nations is sometimes cited as the fount of legitimacy in similar situations. Its authority has sustained protectorates in, for example, East Timor and Kosovo. But it cannot provide legitimacy in Iraq because its own legitimacy is questioned there. The U.N. is stained by its acquiescence in Saddam Hussein's flouting of its own inspectors, and by the corruption of the "Oil for Food" program. And the Shiites, suspecting that the U.N. is hostile to their demand for early elections and majority-rule democracy, are reluctant to grant it much power.

Sometimes regional organizations can confer legitimacy on new regimes. But the Arab League is even more distrusted in Iraq than the U.N. It supported Saddam to the bitter end, and its most important members—Egypt, Syria, and Saudi Arabia—are hostile to experiments in democracy in the Arab world. Iraqis reasonably fear that serious involvement by the Arab League would undermine the legitimacy of any new Iraqi government.

Democracy is, of course, the formula for legitimacy prescribed by the U.S. And a stable government rooted in popular consent would certainly start out enjoying full legitimacy. But how likely is such a phenomenon? And how long would it last? Democracy works only in societies in which people feel a strong sense of political community, and have no fear that they will be dispossessed, repressed, or even murdered by their political opponents. Iraq's Sunnis plainly fear such a fate at the hands of the Shiite majority; hence they are unlikely to accept a Shiite election victory without protest and perhaps rebellion.

These dangers can be circumvented by constitutional arrangements that either entrench minority rights or allocate power to different groups in proportion to their population. As Lebanon and Northern Ireland show, however, these complicated constitutions are highly unstable: They break down when the relative real power of the different groups changes. From the standpoint of the majority they are undemocratic and thus resented. If they are to be permanent, they generally need some external power to enforce them—and such a power would dilute still further the democratic sovereignty of the people. A sovereign Iraqi democracy is unlikely therefore to attain the necessary legitimacy.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

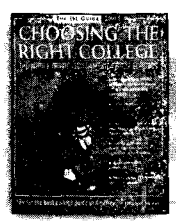
New Titles from ISI Books

REMEMBERED PAST
John Lukacs on History, Historians, and Historical Knowledge–A Reader
JOHN LUKACS
Edited, with an Introduction, by MARK G. MALVASI *and* JEFFREY O. NELSON
$30.00 (cloth) 1-932236-27-9 / 700 pp / AUGUST
$18.00 (paper) 1-932236-28-7 / 700 pp / AUGUST

"John Lukacs is an original. His opinions are stimulating, infuriating, profound, never dull. He is a marvelously agile writer who provides the reader great pleasure while he takes him plumbing for the truth."—**Witold Rybczynski**, University of Pennsylvania

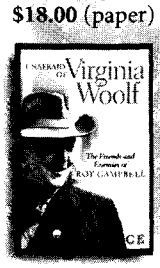
"With clarity, grace, and power, John Lukacs illuminates the course of modern history, while he disposes of the cant, fads, and silliness that mark much of today's historical writing."—**Eugene D. Genovese**, author, *Roll, Jordan, Roll: The World the Slaves Made*

CHOOSING THE RIGHT COLLEGE 2005
The Whole Truth about America's Top Schools
Edited by JEREMY BEER
Introduction by WILLIAM J. BENNETT
$28.00 (paper) 1-932236-34-1 / 1,000 pp / AUGUST



"*Choosing the Right College* is by far the best college guide in America. It covers subjects not even mentioned in other college guides, but which are urgently important for parents and students to know about. This is especially so at a time when choosing the wrong college can lead not merely to disappointment but to disaster."—**Thomas Sowell**, Hoover Institution, Stanford University

UNAFRAID OF VIRGINIA WOOLF
The Friends and Enemies of Roy Campbell
JOSEPH PEARCE
$18.00 (paper) 1-932236-36-8 / 470 pp / JUNE

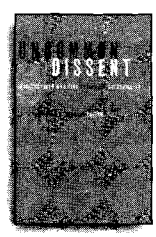


"Significantly, a subtitle of this fascinating biography is *Friends and Enemies*, and Campbell clearly had a genius for making both.... Joseph Pearce, while deploring Campbell's sometimes self-defeating intemperance...presents him as a gentle, enthusiastic, life-loving, private man."—***The Spectator***

EQUALITY BY DEFAULT
An Essay on Modernity As Confinement
PHILIPPE BÉNÉTON
Translated by RALPH C. HANCOCK
$25.00 (cloth) 1-932236-32-5 / 300 pp / JULY
$15.00 (paper) 1-932236-33-3 / 300 pp / JULY

"This remarkable book is more than a work of penetrating cultural criticism.... It is first and foremost a diagnosis of the spiritual and political condition that Beneton calls 'late modernity.' With grace and discernment, Beneton draws out the consequences of the contemporary rejection of a 'substantial' view of human freedom, one informed by a humanizing sense of obligation and of the moral limits that inform true individuality."—**Daniel J. Mahoney**, author, *Aleksandr Solzhenitsyn: The Ascent from Ideology*

UNCOMMON DISSENT
Intellectuals Who Find Darwinism Unconvincing
Edited by WILLIAM A. DEMBSKI
Foreword by JOHN WILSON
$28.00 (cloth) 1-932236-30-9 / 350 pp / JUNE
$18.00 (paper) 1-932236-31-7 / 350 pp / JUNE



In *Uncommon Dissent*, mathematician and philosopher William A. Dembski brings together essays by leading intellectuals who find one or more aspects of Darwinism unpersuasive. The measured, thought-provoking essays make it increasingly obvious that critics of Darwinism are serious, skeptical, open-minded inquirers whose challenges pose serious questions about the viability of Darwinist ideology.

DICKENS AND THE SOCIAL ORDER
MYRON MAGNET
$25.00 (cloth) 1-932236-37-6 / 282 pp / MAY
$15.00 (paper) 1-932236-35-x / 282 pp / MAY

"[Magnet's] book is well argued, attractively written and all in all one of the most stimulating studies of Dickens to have appeared in recent years. Perhaps he will consider writing a sequel."—***New York Times***

"A book that should significantly alter our general understanding of Dickens.... We are in debt to Myron Magnet...."—***Commentary***

ISI BOOKS
A UNIVERSITY IN PRINT
The imprint of the Intercollegiate Studies Institute
To order, call (800) 621-2736 or fax (800) 621-8476. Visit **www.isibooks.org** to learn more.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Indeed, the quest for an institution that will almost magically provide Iraq with governmental legitimacy is a mistaken enterprise. No such institutions exist, and the search for them will distract us from more fruitful approaches. We should see legitimacy not as a property that some institutions possess by nature but as a process in which institutions gradually establish themselves and win popular support by the services they provide. Viewed in this light, legitimacy in today's Iraq might be won in the following ways:

Providing Security. A government that provides its citizens with personal security has already staked a large claim on their loyalty. Any government, however democratic, that fails to provide such security will eventually cease to be legitimate. In Iraq the U.S. has succeeded neither in providing security nor in establishing the monopoly of violence on which it rests. We have failed to shoot looters, punish rebels and criminals, and disarm private armies. As a result, our enemies do not fear us and rebellions fester. Our first tasks now must be to crush the rebellions, punish the al-Sadr types, and disband the militias. Ceasefires must be conducted in ways that dispel any impression of weakness. If threats are made—like the threat to kill or capture al-Sadr—they must be carried out. In general the U.S. must not only win but also be seen to win.

Respecting Local Practices. After the establishment of order, governing in conformity with the beliefs, customs, and traditional practices of the people is most important. This does not mean establishing an Iranian-style theocracy—Iraqi opinion polls decisively reject that option—but it does mean not outraging Muslim sensibilities and not bypassing, indeed exploiting, the traditional structures of tribal authority. The U.S. has done well in avoiding error in these regards. But it has not succeeded in signaling its sympathy for legitimate local aspirations. It might do so by expanding the provisional governing council to include those religious figures and tribal leaders who possess traditional authority and who have shown by their conduct that they are reliable allies of the Coalition—notably those Shiite clerics who distanced themselves from al-Sadr in recent weeks.

Delivering Prosperity. Economic growth tends to buttress the legitimacy of any regime under which it develops. We are fortunate that the Iraqi economy is likely to grow considerably in the next few years under the influence of rising world oil prices and the stimulative effects of the U.S.-financed rebuilding program.

The above three constituents of legitimacy will strengthen the U.S. in the short term and give the Iraqi governing authority a favorable backdrop to its scheduled assumption of authority on June 30. This new government should be able to continue warfare against any rebels who remain (perhaps using methods the U.S. cannot contemplate) and to set about administering a constitutional liberal order unique in the Arab world. A final step toward legitimacy would be the holding of elections scheduled for January next year.

Paradoxically, however, that election would run the risk of destroying whatever legitimacy the new government may have gained. Time here is of the essence. A January election is simply too close to the recent upheavals: It would leave the new governing forces too little time to deliver the economic goods and to build up electoral support. And it would not allow enough time for Iraqis to become disciplined in the arts of free politics, such as coalition-building. An early election is likely to be an occasion for the settling of ethnic, religious, and other scores by factions still unreconciled to one another. We would be back where we started—agonizing about legitimacy. Nothing would be lost by postponing the elections, however, provided that Ayatollah Sistani and *his* Shiites have a compensating influence in the provisional government.

Of course, even if they are subsequently held in ideal conditions, elections will not solve the underlying problem that Iraq is too divided to be a fully sovereign democracy. Solving that problem will require several decades in which Iraqis develop a sense of national identity and learn to live with the prospect of electoral defeat under a liberal constitution.

It is probably fortunate, therefore, that during this long period the most important politician in Iraq will be the U.S. ambassador. **NR**

■ **AT WAR II**

Clashes

Their way is not our way—but we must adapt to their way

DAVID PRYCE-JONES

THE murder of four American civilian contractors in Fallujah, and then the instant defilement of their corpses, is conspicuously barbarous. So is the maltreatment of hostages, and the threat to burn them alive. Barbarous but not surprising: People who have been brutalized as thoroughly as Iraqis commit brutalities as though that were normal. Context determines behavior. For as long as anyone can remember, Iraq has been in the hands of some thug whose will is the only law. No institutions of any kind have ever existed to mediate among interests. To protect themselves, people can only turn to those of their own kind. If some important interest is at stake, violence quickly rises through the levels of family, tribe, religious sect, and ethnicity. However outrageous, brutality is the way to get things done under absolute rule, a system of cruel and self-perpetuating custom.

At Fallujah, and in the cases of hostages, television cameras were ready to record what was happening. The brutality was evidently not the work of men whose passions had overwhelmed their human inhibitions. Quite the contrary, this is exemplary force, premeditated and staged by some in order to compel others to buckle under and do their bidding. These Sunnis of Fallujah and elsewhere are trying to make the simple point that they are ready to do whatever they have to do, no matter how violent, for the sake of advancing themselves and their interests.

By coincidence, the wider context pre-

Mr. Pryce-Jones is an NR senior editor. Among his books is *The Closed Circle: An Interpretation of the Arabs.*

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The American Civil War

Explore our nation's most dramatic conflict with 48 engaging lectures by distinguished historian Gary W. Gallagher

Gettysburg. Antietam. Bull Run. Shiloh. The Wilderness. Missionary Ridge. Between 1861 and 1865, the clash of the greatest armies the Western Hemisphere had ever seen turned these small towns, little-known streams, and obscure corners of American countryside into names that will never die.

A Story Without Peer

Professor Gary W. Gallagher richly details the effect of the war on all Americans. You'll learn how armies were recruited, equipped, and trained. You'll learn about the hard lot of prisoners. You'll hear how soldiers on both sides dealt with the rigors of camp life, campaigns, and the terror of combat. You'll understand how slaves and their falling masters responded to the advancing war. And you will see the desperate price paid by the families so many left behind.

Though this is not simply a course on Civil War battles and generals, about half of the lectures are devoted to the strategic and tactical dimensions of military campaigns. The cost in human life was greater than that for *all* other American wars *combined*, from colonial times through the wars against terrorism.

What makes these lectures so compelling? From Fort Sumter and First Manassas to Sherman's March and Appomattox, Dr. Gallagher brings complex patterns of events into clear focus, identifies opportunities lost or seized, and quotes memorably from first-hand accounts to give you a clear idea what it was like to be at "the sharp end" of the war's battlefields.

© Digital Stock.

General Robert E. Lee.

Extraordinary leaders and incompetent tyrants served on both sides. Their power to fascinate, inspire, or exasperate remains undimmed even today. You will find Professor Gallagher's brief but telling sketches of these figures exceptionally evocative and rewarding. Abraham Lincoln and Jefferson Davis, Ulysses S. Grant and Robert E. Lee, William Tecumseh Sherman and Stonewall Jackson, and others come to life.

A Great Teacher

Professor Gary W. Gallagher is the author of several books and dozens of scholarly articles, most recently, *The Confederate War* (Harvard University Press, 1997). Today, he is one of the leading authorities on the Civil War. He is the John L. Nau III Professor in the History of the American Civil War at the University of Virginia.

Of the many TV programs and movies that deal with the Civil War, not one offers the combination of narrative and in-depth analysis you will find in this course.

Lecture Titles

PART I (Lectures 1 to 12)
Prelude to War ... The Election of 1860 ... The Lower South Secedes ... The Crisis at Fort Sumter ... The Opposing Sides, I ... The Opposing Sides, II ... The Common Soldier ... First Manassas or Bull Run ... Contending for the Border States ... Early Union Triumphs in the West ... Shiloh and Corinth ... The Peninsula Campaign

PART II (Lectures 13 to 24)
The Seven Days' Battles ... The Kentucky Campaign of 1862 ... Antietam ... The Background to Emancipation ... Emancipation Completed ... Filling the Ranks ... Sinews of War—Finance and Supply ... The War in the West, Winter 1862–63 ... The War in Virginia, Winter and Spring 1862–63 ... Gettysburg ... Vicksburg, Port Hudson, and Tullahoma ... A Season of Uncertainty, Summer and Fall 1863

PART III (Lectures 25 to 36)
Grant at Chattanooga ... The Diplomatic Front ... African Americans in Wartime, I ... African Americans in Wartime, II ... Wartime Reconstruction ... The Naval War ... The River War and Confederate Commerce Raiders ... Women at War, I ... Women at War, II ... Stalemate in 1864 ... Sherman versus Johnston in Georgia ... The Wilderness to Spotsylvania

PART IV (Lectures 37 to 48)
Cold Harbor to Petersburg ... The Confederate Home Front, I ... The Confederate Home Front, II ... The Northern Home Front, I ... The Northern Home Front, II ... Prisoners of War ... Mobile Bay and Atlanta ... Petersburg, the Crater, and the Valley ... The Final Campaigns ... Petersburg to Appomattox ... Closing Scenes and Reckonings ... Remembering the War

THE TEACHING COMPANY®
The Joy of Lifelong Learning Every Day
GREAT TEACHERS, GREAT COURSES, GREAT VALUE GUARANTEED.

SAVE UP TO $390!
OFFER GOOD UNTIL JUNE 14, 2004

About The Teaching Company:

We review hundreds of top-rated professors from America's best colleges and universities each year. From this extraordinary group, we choose only those rated highest by panels of our customers. Fewer than 10% of these world-class scholar-teachers are selected to make The Great Courses. We've been doing this since 1990, producing more than 2,000 hours of material in modern and ancient history, philosophy, literature, fine arts, the sciences, and mathematics for intelligent, engaged, adult lifelong learners. If a course is ever less than completely satisfying, you may exchange it for another or we will refund your money promptly.

To order, mail or fax coupon below. Or call our toll-free number: (Please refer to Priority Code 16332)

1-800-TEACH-12 (1-800-832-2412) Fax: 703-378-3819 www.TEACH12.com/natr

THE Great Courses™
THE TEACHING COMPANY®
4151 Lafayette Center Drive, Suite 100
Chantilly, VA 20151-1232

Priority Code 16332

Please send me **The American Civil War**, consisting of 48 half-hour lectures, with complete lecture outlines.

- ☐ **DVD $129.95** (reg. $519.95) **SAVE $390!** plus $20 shipping, handling, and lifetime satisfaction guarantee.
- ☐ **Videotape $99.95** (reg. $399.95) **SAVE $300!** plus $15 shipping, handling, and lifetime satisfaction guarantee.
- ☐ **Audio CD $89.95** (reg. $359.95) **SAVE $270!** plus $15 shipping, handling, and lifetime satisfaction guarantee.
- ☐ **Audiotape $64.95** (reg. $249.95) **SAVE $185!** plus $15 shipping, handling, and lifetime satisfaction guarantee.
- ☐ **Check or Money Order enclosed**

**Non-U.S. Orders: Additional shipping charges apply. Call or visit the FAQs page at www.teach12.com for details.*
***Virginia residents please add 4.5% sales tax.*

Charge my:

☐ VISA ☐ MasterCard ☐ Discover/NOVUS ☐ American Express

ACCOUNT NUMBER _____ EXP. DATE _____

SIGNATURE _____

NAME (PLEASE PRINT) _____

MAILING ADDRESS _____

CITY/STATE/ZIP _____

PHONE *(If we have questions regarding your order)* _____

☐ **FREE CATALOG.** Please send me a free copy of your current catalog (no purchase necessary).

Offer Good Through: June 14, 2004

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

sents opportunities for further exemplary force. All can see for themselves that recent acts of terror in Madrid immediately reversed Spanish policy toward Iraq; perhaps Washington can be intimidated into similar surrender. Crucially, Iraqis are to have a government of their own as from the end of June. Its composition and its powers are still unknown, but it promises to be representative and popular. The Shiite ayatollahs of Iran are financing the young cleric Moqtada al-Sadr to get into place a government on their own absolute model. A willing tool, as unscrupulous as he is ambitious, al-Sadr knows that the entire Iraqi elite—including the senior Shiite ayatollahs—mistrust him and will do whatever they can to keep him out. His only hope is to order his militia to shoot his way into power. Unwilling to risk being left behind, the Sunnis have to do the same. In the absence of agreed or institutional mechanisms for going about it peacefully, such trials of strength are the customary resort. The fighting that broke out in several cities is the equivalent of electoral campaigning in a democracy.

"No man, no problem," was Stalin's master instruction for absolute rule, and Saddam Hussein made sure to follow it like the attentive pupil he was. He would have arrested Moqtada al-Sadr and shot him, as he shot the ayatollah's father and other members of the family. He would then have filled mass graves in the desert with the corpses of any and all Shiites found with weapons in their possession. He might have bought off his fellow Sunnis in Fallujah with whatever bribes were acceptable, but if they had ideas above their station they too would have ended in mass graves. At his trial, he will no doubt argue that he was only keeping the peace, while the Americans are only capable of losing it. That is the absolute ruler's last line of defense; and the unfortunate Arab and Muslim masses bow to perpetual tyranny because they know from bitter experience that the only alternative has ever been anarchy.

That far-sighted Frenchman and sometime foreign minister Alexis de Tocqueville visited Algeria in 1841, at a moment when the French were bogged down in military campaigning there. A French colonel in the front line made an observation to him and others in a delegation about the Algerian absolute ruler and his tribal followers: "Only force and terror, my dear sirs, work with those fellows." That is one of the earliest acknowledgements by Westerners that their own political structures and social attitudes clash with those of other cultures. In another telling example from about the same period, some Indians explained to a British official, William Bentinck, that they intended to burn alive a widow, as this was their custom. And the British custom, Bentinck replied, is to hang people who murder widows. The cultures are so mismatched in their political and social expressions that one or the other has to give way. In the end, each side comes to say of the other that strength is the only language they understand.

Unlike the French in Algeria or the British in India, the Allied coalition is without colonial purposes in Iraq. But whether it likes it or not, the coalition has no choice except to work through the custom inherent in absolute rule. Superior and exemplary force alone can prove that the political and military leadership of the coalition has confidence in its goals, and the strength to carry them through. Anything less, anything like evidence of weakness or hesitation, will only encourage those seeking power to believe that victory is theirs for the taking, and accordingly ratchet up the level of violence to the maximum of their capacity and ingenuity.

Ignorant about the harsh imperatives of absolutism, liberals in the West are swept by fantasies of disaster, and the specter of Vietnam. To be sure, there is a causal connection between repression and resistance. Innocent civilian casualties create a backlash. The Allies have to be as precise as possible, especially when gunmen take up positions in mosques and hospitals. They have to close access to any areas large or small where firing originates, conduct house-to-house searches, arrest anyone armed, and confiscate all weapons. Out of the prudence bred from much experience of trials of strength going on over their heads, most people are waiting to discover who the winners are, so that they can be sure to join them.

Of course it's unfamiliar, and maybe paradoxical, for the Allies to be setting the parameters of power beyond dispute, as though they too were absolute rulers, leaving themselves open to unflattering comparison to Saddam Hussein. The difference is that their ambition is not to rule but to use exemplary force in order to break with custom and initiate a new context in which agreed political institutions mediate the varied interests of the population. Behind the scenes, the members of the Iraqi government-to-be are reported to be assessing the weight both of Moqtada al-Sadr and of the Sunnis, calculating what sorts of deals might be cut to share the spoils.

It ought not to be beyond the wit of man to devise some form of genuine representation. One day some colonel should explain to a visiting delegation that the only thing that works with these fellows, my dear sirs, is accountable government and the rule of law. Anything else is a victory for the customary absolutism of the past, as primitive and humanly wasteful as ever. **NR**

Moqtada al-Sadr

ROMAN GENN

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

■ AT WAR III

The Cost of Weakness

When al-Jazeera loves Ted K. . . .

MICHAEL RUBIN

MOQTADA AL-SADR's uprising and the violence in Fallujah set off a frenzy of panic in Washington. In remarks rebroadcast repeatedly on al-Jazeera, Sen. Edward Kennedy said, "Iraq is George Bush's Vietnam." Jimmy Carter called the entire Iraq campaign "a tragedy." Even as Coalition forces contained violence to just three pockets, Sen. Robert Byrd, a member of the Armed Services Committee, demanded a road map out for American forces in the face of the challenge. And Pat Buchanan told the *New York Times*, "We have gotten ourselves bogged down in what is clearly a quagmire."

While newspaper headlines may scream doom and gloom, the view from Iraq is more restrained. There has been significant success there, but both allies and adversaries detect weakness in the American war on terrorism. Iraqi democrats and liberals remain scarred by George H. W. Bush's 1991 decision to abandon Iraqis who followed his call to rise up for freedom. Our opponents—Iranian-backed guerrillas, Saudi-financed Wahhabis, and Syrian-supported Baathist remnants—believe that the United States lacks the will to fight. Iranian and other television stations rerun scenes of the U.S. withdrawal from Beirut following the 1983 Marine barracks bombing, and the flight from Somalia ten years later. The United States has done little to counter such propaganda.

If the U.S. stays its course, however, the Moqtada-Fallujah uprising will become a forgotten footnote in the history of Iraq's reconstruction. Coalition forces have had consistent success in shutting down insurgent action. Ever since insurgents began their campaign to derail the Iraqi political process, Coalition forces have quickly adjusted to pacify them. In many ways, al-Sadr's revolt appears to be a last gasp from a firebrand radical who has seen his domestic support hemorrhage.

For three months following Baghdad's fall, anti-Coalition activity was light. July saw the frequent use of snipers, and increasingly sophisticated bomb attacks, against U.S. soldiers. Thirty-six American soldiers died, but, thanks to good intelligence, Coalition forces rolled up these Baathist cells.

Islamists began attacking soft targets, such as foreign embassies, the United Nations compound, and hotels. A truck bomb at U.N. headquarters on August 19 killed 23, including envoy Sergio Vieira de Mello. By that evening, traffic patterns had changed to prevent vehicles from approaching too closely the headquarters of the Coalition Provisional Authority. Within days, hardened concrete walls had sprung up around hotels. Speed bumps and obstacles hampered the approach of suicide car-bombs. These precautions worked. Soft-target bomb attacks ceased to be effective. Insurgents again targeted the U.N.'s Baghdad compound on September 22, but killed only one unarmed Iraqi police officer. An October 12 double-suicide car-bombing at the Baghdad Hotel killed "just" six individuals, as the vehicles had been prevented from getting closer. While the October rocket attack on the Rashid Hotel garnered world headlines because deputy secretary of defense Paul Wolfowitz was inside, only one soldier died. Each attack, meanwhile, exposed cells that Coalition and Iraqi security forces subsequently crushed.

As embassy attacks failed to drive out all but the weak-kneed U.N., the terrorists turned their attention to Iraqis. But terrorism no more deterred Iraqis from their partnership with the Coalition than it did Westerners from working with Iraqi democrats. October's car-bomb attacks against Iraqi police stations killed about 50, but Iraqi police did not quit, and the pace of recruitment did not slacken. Both the frequency and lethality of subsequent police attacks declined.

In November, insurgents shifted their tactics again to probe for weakness among Washington's coalition partners. A deadly attack at the Italian military police headquarters in Nasiriya killed 19 Italians (and at least 12 Iraqis), but Italian prime minister Silvio Berlusconi stood his ground. "No intimidation will change our determination to help this country get back on its feet, to create a government and ensure security and freedom," he said. Attacks on Japanese diplomats and Korean aid workers did not deter either country from deploying forces. Terrorism occurs not because of poverty or disenchantment, but rather because some nations allow terrorism to succeed. If countries do not reward violence with concession, then terrorism ceases to be a worthwhile tool. When nations challenge terrorism, Iraqis respect them. When a Japanese contingent got to the southern town of Samawa in January, residents gave them a "pop-star welcome," according to press reports.

If countries do not reward violence with concession, then terrorism ceases to be a worthwhile tool.

Terrorists next targeted Iraqi translators, engineers, and cleaning women working for Coalition bases. Iraqis reacted to the murder of their countrymen with disgust. The disdain of ordinary Iraqis for the rejectionists only increased after the bombings in Karbala and Khadimiya massacred more than 180 pilgrims. Iraqis blamed the Coalition for inadequate security, but Iranian-inspired calls for a withdrawal of Coalition forces fell flat. Likewise, instead of leading to a Somalia-style withdrawal, recent attacks on American contractors have provoked a forceful response.

The Moqtada-Fallujah insurgency did not occur in a vacuum. As the political process advances, opponents of democracy are becoming increasingly desperate to find a strategy that weakens U.S. resolve. So far, they have been unsuccessful. Iraqis are upset, not because they desire Coalition withdrawal, but because American calls for more U.N. involvement or

Mr. Rubin, a resident scholar at the American Enterprise Institute, has spent 16 months in Iraq, most recently as a political adviser to the Coalition Provisional Authority.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

for outright withdrawal do little but project weakness. Similarly, they watch with disbelief as Major General David Petraeus argues for the rehabilitation of high-level Baathists. In the Middle East, premature compromise and the perception of vulnerability spurs violence, not peace. The vast majority of Iraqis want the U.S. to remain. In recent days, the Shiite hierarchy has pointedly refused to endorse al-Sadr, calling instead for calm. And most Sunnis would rather stay home than support the Islamists and Baathist remnants who would lead Iraq down the road to chaos. According to Wael al-Rukadi, one of Nasiriya's leading Shiite clerics, "Triggering the violent incidents were people from the outside, to be exact, from Fallujah and the Western part of the country . . . A withdrawal of foreign troops from Iraq at this time would lead to an all-out civil war."

On April 9, Iran's former president, Ali Akbar Hashemi Rafsanjani, delivered a sermon in which he came close to plagiarizing Pat Buchanan's statements of two days before. "The U.S. is bogged down in an Iraq quagmire. It has to pull out immediately," Rafsanjani said. On April 8, Iran's Islamic Revolution Guard Corps had issued a statement warning that "a fate more horrifying than Vietnam awaits America in the morass of Iraq." Our adversaries have a goal, and they seize on weakness. The people of Iraq hope that President Bush will not reward them. **NR**

WHAT THEY'RE SAYING ABOUT

NRO nationalreviewONLINE

"National Review Online is must reading several times a day. There is breaking news, original reporting, trenchant analysis, engaging debates, valuable links, and great humor, from sophomoric to wry. Something for (nearly) everyone."

—Bill Schulz, editor at large, Reader's Digest

www.nationalreview.com

■ **AT WAR IV**

Security and Politics

Get the latter right, and you'll have the former

PATRICK CLAWSON

THE current fighting in Iraq was almost inevitable. The new political process we are putting in place is based on elections, and those who know that they are going to lose them have every reason to disrupt that process. The Sunni radicals and the Shiite rebel leader Moqtada al-Sadr realize that their only hope of achieving power is by resorting to force. It is hardly surprising that they are cooperating with each other, since a combined effort gives them their best shot at prevailing in a test of arms.

The more troubling confrontation is with al-Sadr, the 30-year-old son of the late, respected Grand Ayatollah Sayyid Muhammad Baqr al-Sadr. His followers are fanatical but few in number. Stymied politically, al-Sadr has built up his militia, the Jaysh al-Mahdi, or the Mahdi army. They are little more than thugs. In March, the Mahdi army drove out all the residents of Qawliya—a village rumored to be a red-light district—and used a bulldozer to knock down their homes. Another tactic of theirs is to throw acid in the faces of scarf-less women and to threaten those who open women's centers.

If a fight with al-Sadr was inevitable, this is not a bad time to have it.

Sadr's group is hardly the only militia in Iraq. Many of the tribal leaders, religious figures, and local politicians maneuvering for power in the new civil structures have also been actively recruiting armed groups of supporters. Believing that force equals power and order, too many otherwise democratically minded Iraqis are tempted by totalitarianism. The problem we face was captured well in a recent Oxford Research International poll: Asked what Iraq needs at this time, 86 percent said "an Iraqi democracy," but 81 percent said "a single strong Iraqi leader."

Faced with the militia issue, the Governing Council inserted into the March interim constitution the provision, "Armed forces and militias not under the command structure of the Iraqi Transitional Government are prohibited except as provided by federal law." That did not go far enough for some. The *Washington Post* editors complained, "No plan has been announced . . . to disarm and dismantle" the militias. It thundered, "Only the United States has the means to force this vital step, and its time is running out."

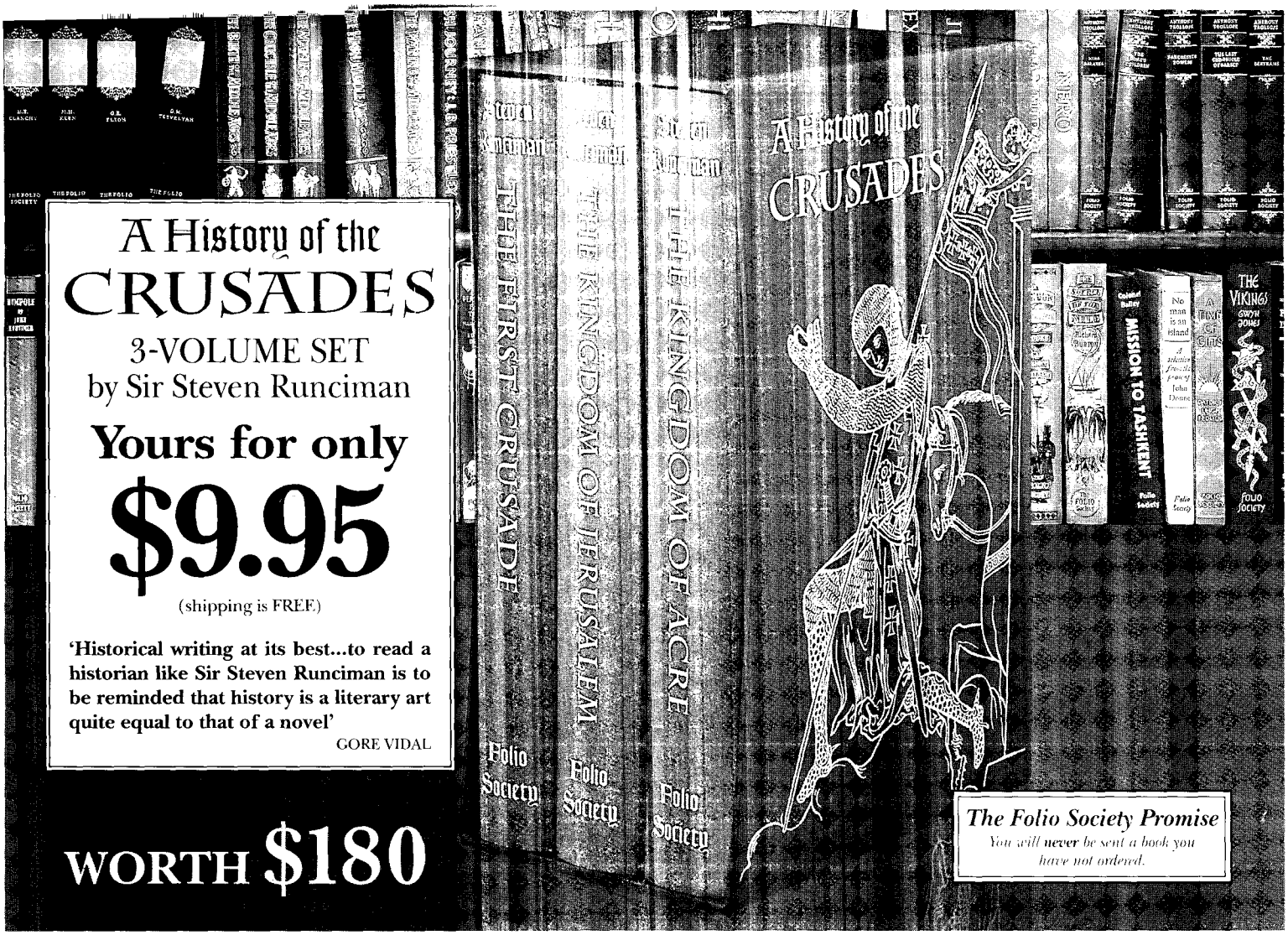
So, it should have been obvious that in order to "disarm and dismantle" the Mahdi army, we would necessarily have to confront al-Sadr, as there was no way his forces could be co-opted into the new security services.

After threatening al-Sadr for weeks, the United States picked a fight with him. On March 28, in what al-Sadr's followers took as a provocation, we closed his newspaper. Then, when he reacted at Friday prayers the usual way—with incendiary rhetoric and some peaceful protests—we arrested his deputy, Mustafa al-Yaqubi. Not surprisingly, al-Sadr assumed this was the start of the confrontation we had long threatened, and so he reacted by pulling out all the stops. That is when the rebellion started.

One can make many arguments about whether it was a good idea to pick this fight now with al-Sadr. Maybe it would have been better to tolerate the Mahdi army so long as they confined itself to social issues. On the other hand, if a fight was inevitable, this is not a bad time to have it. Now, unlike after June 30, when Washington is scheduled to transfer power over to the Iraqis, we can at least control the process, and moreover, U.S. forces are at a peak.

Mr. Clawson is deputy director of the Washington Institute for Near East Policy.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED



A History of the CRUSADES

3-VOLUME SET by Sir Steven Runciman

Yours for only $9.95

(shipping is FREE)

'Historical writing at its best...to read a historian like Sir Steven Runciman is to be reminded that history is a literary art quite equal to that of a novel'

GORE VIDAL

WORTH $180

The Folio Society Promise

You will ***never*** *be sent a book you have not ordered.*

SIR STEVEN RUNCIMAN'S historical masterpiece charts the epic story of the Crusades – from their birth in the Norman campaigns of the 11th century, through the triumphant establishment of the Kingdom of Jerusalem, to the rise of the Islamic empire and the final degeneration, in the 14th century, of the Crusading spirit. The senseless massacre, the romantic and mercenary ideals which led the Christian knights to the Holy Land, and the politics which kept them there – these are Runciman's themes, in a gripping, vivid and ground-breaking study.

As your introduction to The Folio Society, we are offering you this unique, beautifully bound set worth $180 for just $9.95 (shipping included).

Also, our latest edition of *The Greek Myths*, a two volume set worth $87.50, is yours FREE just for replying.

The Folio Society does NOT send you unsolicited books or 'choices of the month'. You simply choose four books from our catalogue to fulfill your membership.

We pride ourselves on the quality of every book in our collection. Our current publications include history and eye-witness accounts, classic and modern fiction, memoirs, notable biographies, children's books, humour, poetry, and legend. Prices start as low as $27.95 and many of our books are less than $40.00.

The Folio Society, established in England in 1947, publishes books for dedicated readers who wish to rediscover the pleasures of the fine edition at an affordable price.

Why not join us now with *A History of the Crusades?* Simply fill out and return the coupon today to take advantage of this special introductory offer or call Toll Free on 1-800-353-0700.

What the literary world have said about us

'The Folio Society produces books that will add beauty as well as substance to any library'.
Historian Arthur M Schlesinger

'Once I had discovered Folio, I found things on their list every year that I wanted, and I have never been disappointed in what I received'.
Novelist Robertson Davies

THE FOLIO SOCIETY
P.O. Box 693, Holmes, PA 19043

PLUS FREE

A FOLIO TWO VOLUME SET
THE GREEK MYTHS

The Greek myths are fantastic stories full of passion, adventure, suspense and tragedy. Robert Graves tells them with great verve and flair, from Ariadne and the Minotaur to the manacling of Prometheus; Jason and the Golden Fleece to the birth of Aphrodite.

Worth $87.50

'Immensely readable'
FREDERIC RAPHAEL

To: The Membership Secretary, The Folio Society Ltd., P.O. Box 693, Holmes, PA 19043. Fax:1-610-532-9001.

ORDER TOLL FREE 1-800-353-0700

Please accept my application for FREE trial membership of The Folio Society and send me *A History of the Crusades*, together with the Folio catalogue and my FREE copy of *The Greek Myths*. If I agree to purchase at least 4 books from your catalogue I will be billed only $9.95 for *A History of the Crusades* (including shipping and handling). If I am not satisfied – for any reason – I may return the introductory set within 10 days. My membership will be cancelled and I will owe nothing. I understand that as a member of The Folio Society I have the right to return any book if I am not completely satisfied. *The Greek Myths* is mine to keep whatever I decide.

Title Name Date

BLOCK CAPITALS PLEASE

Address

City

State Zipcode

Please allow 21 days for delivery. Applications subject to approval. JA4X45

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

But what is alarming is that it appears we were not ready for a clash: U.S. forces were not positioned to protect government installations; they showed little strength in the cities where al-Sadr has influence; and Iraqi security services were ill prepared to deal with the fighting.

We evidently assumed al-Sadr would simply fold when faced with our actions. U.S. Iraq policy has been characterized by extraordinary self-confidence, which served us well during the major combat operations but has been more of a problem since. In particular, we have not always paid as much attention as we should to what others may do to frustrate our plans. Before we take a hard line against a radical like al-Sadr, we should weigh carefully what he can do to us. For all the problems he has caused, we should try to find ways to draw him and his followers back into the political process.

We also need to bear in mind that the institutions of the new Iraq are weak and fragile. Yes, it is disappointing that the Iraqi security services have contributed little to the coalition effort, but on the whole, it would be inappropriate to ask them to do so. The largest components of those services are policemen and facilities guards, who are neither trained nor equipped to deal with combat.

We should not ask the new Iraqi security services to perform politically risky tasks, because they are of little use to us unless they enjoy public support. So far, the news on this front is good. The Oxford Research International poll showed 68 percent of people expressing confidence in the new police. In a similar vein, in the aftermath of a February attack on a police station in Fallujah, clerics representing more than 500 mosques in Anbar province—the heart of the Sunni rebellion, including Fallujah and Ramadi—signed a fatwa that may have been pointedly silent about attacks on Americans, but which stated firmly, "We condemn any act of violence against Iraqi state government workers, police, and soldiers, because it is aggression under Islamic law."

The strength of public support for the new Iraqi institutions is only part of the good news emerging from Iraq. Perhaps the most convincing evidence is that in the last year, more than a million refugees have returned to Iraq, despite being told not to by the U.N. High Commissioner for Refugees. And despite the constant complaining—a characteristic feature of Iraqi life—57 percent of Iraqis told Oxford Research International that their life is better now than before the war, compared with 19 percent who say it is worse and 23 percent who say it is about the same.

Still, all this progress will melt away if the security situation continues to deteriorate. The key to restoring security is to get the politics right. The Marines like to say, "You have no worse enemy and no better friend than a Marine." Today's task, when confronted with militiamen fighting us in Iraq, is to be that worst enemy, but we must be ready in the near future to make the transition to becoming the best friend of those who lay down their arms, no matter how much they criticize us. **NR**

LEGACY

WHAT WILL YOURS BE?

What will you bequeath to future generations? How will the ideals you cherish *now* be sustained *then*? Who will articulate your principles for the sake of your grandchildren, your faith, your community, and your country?

There is an answer.

With your help, *National Review* will endure as a powerful voice, sustaining those beliefs you hold dear. Now. And for future generations. As ever, standing athwart *history, yelling Stop.*

To obtain more information about remembering *National Review* in your will or estate, please contact:
National Review, Legacy
Attn.: James Kilbridge
215 Lexington Avenue, 4th Floor
New York, NY 10016
212-679-7330

■ **WASHINGTON**

Blame Game

The Democrats' search for 9/11 'contradictions'

BYRON YORK

In the weeks since former White House counterterrorism official Richard Clarke began promoting his anti-Bush book, *Against All Enemies*, it has become commonplace for the president's critics to say there are "contradictions" or "inconsistencies" in the Bush administration's defense of its actions in the days leading up to the 9/11 attacks. The talk became so intense that Thomas Kean, the Republican chairman of the 9/11 investigating commission, virtually demanded that national security adviser Condoleezza Rice testify "under the penalty of perjury." The *New York Times* reported that the chairman was moved to act because of "discrepancies" between Rice's statements and Clarke's.

Yet after Rice testified, Clarke himself declared, "I don't see that there are a lot of factual problems with what Dr. Rice said." Appearing on ABC News, where he is a paid analyst, Clarke added, "There were one or two minor points here or there that I think are probably wrong. But overall, I think she corroborated what I said."

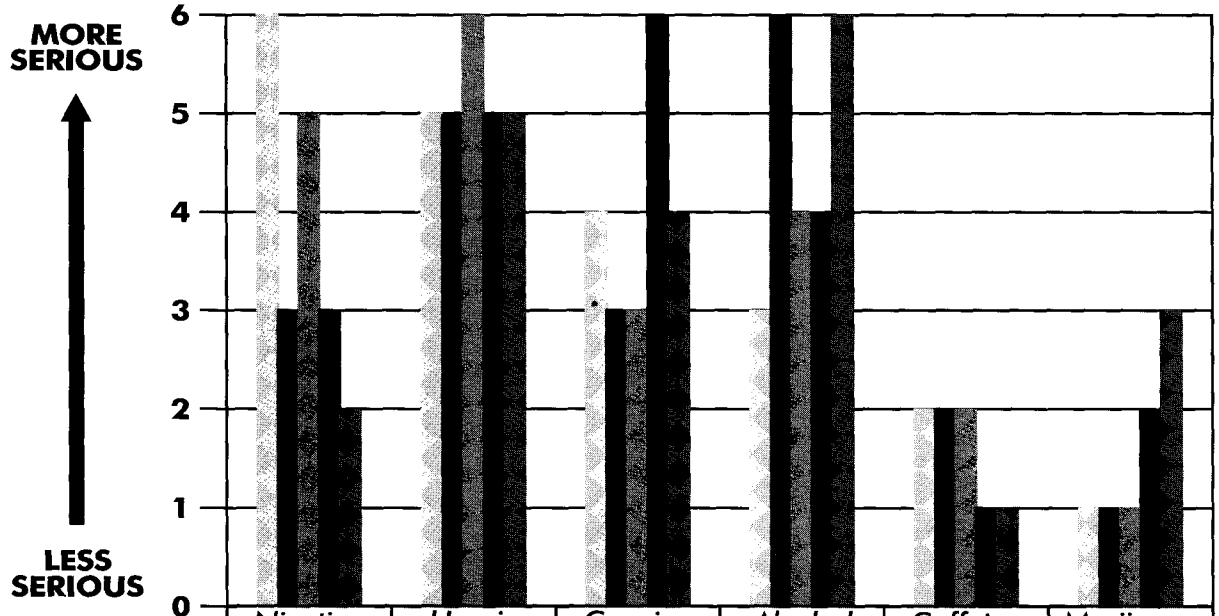
Given all the accusations that had been made, a fair-minded observer might be moved to ask, "What's going on? Are there contradictions, or not?" And the answer is, mostly not. To begin with, much of the arguing about contradictions and discrepancies was simply rhetorical. Arguing from the same set of facts, administration critics said Bush did not do enough to fight terrorism before 9/11, while the president's defenders said he did. Other controversies involved more invective than argument, as when Clarke, making the rounds of TV talk shows, said, "President Bush did nothing [about

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Do Our Drug Laws Focus on the Truly Dangerous Drugs?

Comparing Dangers of Popular Drugs

(Lower score indicates less serious effect)



	Nicotine	Heroin	Cocaine	Alcohol	Caffeine	Marijuana
DEPENDENCE	6	5	4	3	2	1
WITHDRAWAL	4	5	3	6	2	1
TOLERANCE	5	6	3	4	2	1
REINFORCEMENT	3	5	6	4	1	2
INTOXICATION	2	5	4	6	1	3

Source: Dr. Jack E. Henningfield, Ph.D. for NIDA. Reported by: Philip J. Hilts, *New York Times*, Aug. 2, 1994 *"Is Nicotine Addictive? It Depends on Whose Criteria You Use."*

Does Jailing Marijuana Users Make More Sense than Jailing Coffee Drinkers?

www.CommonSenseDrugPolicy.org, www.DrugWarFacts.org, www.MedicalMJ.org

Mike Gray, Chair; Robert Field, Co-Chair; Kevin Zeese, President – 717-288-0600 – info@csdp.org

Dependence: How difficult it is for the the user to quit, the relapse rate, the percentage of people who eventually become dependent, the rating users give their own need for the substance and the degree to which the substance will be used in the face of evidence that it causes harm.
Withdrawal: Presence and severity of characteristic withdrawal symptoms.
Tolerance: How much of the substance is needed to satisfy increasing cravings for it, and the level of stable need that is eventually reached.
Reinforcement: A measure of the substance's ability, in human and animal test, to get users to take it again and again, and in preference to other substances.
Intoxication: Though not usually counted as a measure of addiction in itself, the level of intoxication is associated with addiction and increases the personal and social damage a substance may do.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

terrorism] prior to September 11." No one who was trying to seriously portray the administration's position on terrorism would have said that.

Still, some of the talk of "contradictions" was based in fact, or at least what appeared to be fact. Much of the controversy stemmed from a story that appeared in the *Washington Post* in late March headlined, "Neither Silent Nor a Public Witness; Presidential Adviser Rice Becomes a 9/11 Focal Point as Contradictions Appear." Reporters Walter Pincus and Dana Milbank listed a number of apparent conflicts between statements Rice had made and those made by Clarke and other administration officials. The top three "contradictions" involved conflicting answers to the following questions: 1) Did the White House's pre-9/11 anti-terrorism policy include military options? 2) Did the now-famous August 6, 2001, briefing of the president about al-Qaeda come as a result of Bush's questions, or was it brought to him unbidden by worried CIA officials? And 3) Was the administration's war planning for Iraq done at the expense of the fight against terrorism in Afghanistan?

First, the military strategy. In an op-ed in the *Washington Post* on March 22, Rice wrote that "our [pre-9/11] plan called for military options to attack al-Qaeda and Taliban leadership, ground forces and other targets—taking the fight to the enemy where he lived." But when Jamie Gorelick, a Democratic member of the 9/11 commission, asked State Department official Richard Armitage if that was true, Armitage said, "No, I think that was amended after the horror of 9/11."

Some of the president's opponents quickly seized Armitage's statement as evidence that Rice had lied, but it appears Rice was correct. When she appeared before the commission, Rice made public parts of the still-classified National Security Presidential Directive (NSPD), the anti-terrorism plan that was ready for Bush's signature shortly before 9/11. The NSPD directed the secretary of defense to "ensure that the contingency planning process include plans: against al-Qaeda and associated terrorist facilities in Afghanistan, including leadership, command-control-communications, training, and logistics facilities; against Taliban targets in Afghanistan, including leadership, command-control, air and air defense, ground forces, and logistics; to eliminate weapons of mass destruction which al-Qaeda and associated terrorist groups may acquire or manufacture, including those stored in underground bunkers." That was a significant change from President Clinton's anti-terror plan, which called on the military mostly to help with logistics in the law-enforcement fight against terrorism. Once Rice released the actual words of the Bush directive, accusations of "contradictions" on the issue disappeared.

Next, the August 6, 2001, briefing of the president. The question was whether concerned CIA officials tried to warn a basically unworried president about the threat of terrorism, or whether the president himself wanted answers about al-Qaeda. In her private meeting with the commission in February, Rice said the briefing came about because the president had asked questions. But on March 24, Democratic commissioner Richard Ben Veniste said the commission had learned from the CIA itself that the briefing "was initiated by individuals within the CIA and not as a direct request from the national security adviser."

ROMAN GENN

Condoleezza Rice

Questioned by Ben Veniste, CIA director George Tenet said he didn't know which story was correct. But after looking into the question, Tenet sent the commission a letter which said that in the spring and summer of 2001, the president "raised questions about whether the intelligence pointed toward threats inside the United States." CIA officials discussed the president's questions, Tenet continued, and decided to put together a briefing. "When this item was presented in the [presidential daily briefing] on August 6—with Dr. Rice present—the briefer introduced the piece by referring to the president's earlier questions," Tenet wrote. That put an end to another "contradiction."

Finally, there was the question of planning for war in Iraq. Much had been made of Clarke's assertion that Bush and his top aides were obsessed with Iraq at a time when they should have been fighting al-Qaeda in Afghanistan. After Clarke made his accusation, Rice appeared on television to say that on September 16, 2001, the day after a key meeting to plan the War on Terror, the president told Rice, "Iraq is to the side. We're going after Afghanistan, and we're going to eliminate the Taliban and the al-Qaeda base in Afghanistan." But *Post* reporters Pincus and Milbank questioned Rice's account, writing that Bush's statement that Iraq had been put to the side "appeared to be contradicted by an order signed by Bush on Sept. 17 [2001] directing the Pentagon to begin planning military options for an invasion of Iraq."

That is not, however, the whole story. It appears that Pincus and Milbank were relying on an article written by their *Post* colleague, Glenn Kessler, in early 2003, which said that on September 17, 2001, Bush "signed a 2 1/2 page document marked 'TOP SECRET' that outlined the plan for going to war in Afghanistan as part of a global campaign against terrorism." Kessler also wrote that before 9/11, the administration had been discussing changes in Iraq policy, but that after 9/11, "these concerns were submerged by the imperative of dealing first with Afghanistan." Kessler added that, "almost as a footnote," the presidential document also ordered the military to begin planning options for an invasion of Iraq. But nothing serious was done about

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

the issue until the spring of 2002, Kessler reported, when the war in Afghanistan was over. Iraq was, in fact, on the side until that was finished. Yet another "contradiction" dissolved.

Still other claims of inconsistency proved just as fleeting. For example, administration opponents criticized Rice's testimony that reports of stepped-up terrorist activities in the summer of 2001 were "frustratingly vague"; the critics argued that the White House should have done more to alert the public to specific threats. But Clarke himself made Rice's argument in his book, when he wrote that in the summer of 2001, "We considered a broad public warning, but we had no proof or specificity. What would it say? 'A terrorist group you have never heard of may be planning to do something somewhere'?"

In the end, almost all of the "contradictions" in the White House's defense turned out not to be contradictions at all. That is not to say that every question has been put to rest, and it certainly doesn't mean that the administration, especially its law-enforcement arms, should not face criticism for missing clues to the 9/11 hijackers' activities. But it does suggest that the basic outline of what happened in the days before 9/11 is pretty much known. When all the controversy is over, the story will likely be what it is now: a tale of investigative failures—such as the failure to catch known al-Qaeda operatives living in the U.S. and planning the 9/11 attacks—and of the failure of federal agencies to communicate more effectively with one another.

Still, some of the president's opponents will continue their quest to prove that Bush and his top aides are lying. Much like Clinton opponents who could not accept the fact that high-ranking White House aide Vincent Foster killed himself, they will search for shreds of evidence that, they believe, point to administration wrongdoing. Certainly that quest will continue through this election year, and, if Bush is re-elected, into his second term. "It seems that there is the expectation that somewhere there is a piece of evidence or facts that will point to why we missed this, and it will all be clear as day," says one frustrated administration official. "And it will show exactly who was to blame." **NR**

■ **CAMPAIGN 2004**

The Un-Kerry

Meet John O'Neill, the Vietnam vet who once debated John Kerry on *The Dick Cavett Show*

ALEXANDER ROSE

More than 30 years after he returned to voluntary, and happy, obscurity as a Houston lawyer, 58-year-old John O'Neill is making a prime-time comeback. Who's John O'Neill? He was the Vietnam veteran—a former commander of a Patrol Craft Fast, better known as the Swift boat—who famously debated one John Kerry, a fellow Swift skipper, for 90 minutes on *The Dick Cavett Show* back in 1971. C-SPAN excavated this particular television gem a couple of weeks ago and re-broadcast it.

In 1971, Kerry was leveraging his military experience for political gain (old habits die hard, eh?) and had recently testified before the Senate Foreign Relations Committee about the American soldiers who, he believed, habitually committed war crimes. A few months earlier, Kerry had been involved in the "Winter Soldier Investigation," which proved to be less a serious inquiry into American actions than a rigged indictment of AmeriKKKa. It was later shown that many of the "eyewitness" participants, as well as many of Kerry's colleagues in Vietnam Veterans Against the War (VVAW), were frauds who had never been near a battlefield, let alone seen these crimes happen. Undaunted, Kerry claimed in his Senate testimony that these were "not isolated incidents but crimes committed on a day-to-day basis with the full awareness of officers at all levels of command." In other words, these alleged horrors were endemic to, and an officially sanctioned corollary of, the U.S. war effort in Vietnam.

It is O'Neill, not Kerry, who embodies how countless regular Americans experienced, survived, and remembered Vietnam.

Kerry, as we know, went on to great things, and perhaps may ascend to still greater ones, but what ever happened to John O'Neill? His biography, perhaps owing to its very ordinariness, is far more interesting than Kerry's flashier story of riches-to-riches. It is O'Neill, not Kerry, who embodies how countless regular Americans experienced, survived, and remembered Vietnam. His is a world away from the cynicism and the insanity, the cruelty and the self-hatred represented by the Winter Soldier Investigation and transmitted into the popular consciousness by such movies as *Apocalypse Now* and *Platoon*.

The first thing you need to know about John O'Neill is that the O'Neills were sea dogs through and through. Even today, there are some 90 first cousins living in and around Annapolis—home of the Naval Academy—many of them serving in America's fleets. O'Neill's grandfather taught at the Naval Academy; his father graduated in the early '30s, flew fighters, fought at Iwo Jima, and retired an admiral; O'Neill himself, who grew up in landlocked San Antonio, Texas, was in the Naval Academy Class of 1967 (two brothers also graduated, '57 and '59). An uncle, a fighter pilot, was killed at Pearl Harbor; another, also a naval pilot, in Korea. Several of O'Neill's nephews fought in the first Gulf War in the Marine Corps, and his brother-in-law commanded the Coast Guard, Atlantic Area. Nelson and Nimitz would have been proud of the O'Neills.

Young Ensign O'Neill chose to serve aboard a minesweeper, the *Woodpecker*. His fellow classmates had a good laugh. A minesweeper? Not exactly the most glamorous gig in the Navy, and an especially odd choice for a man whose class standing was so high he could have

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

breezed into pretty much any posting he desired. But O'Neill's motive was nothing to laugh about: Mindful of the "family tradition of service," he says it was "important to me not to sit out the war"—and he supposed that he had a better chance of seeing action on one of the smaller boats than he would have cooling his heels aboard an aircraft carrier.

After a year on the *Woodpecker*, O'Neill transferred to the Swift boats in the spring of 1969, serving on them until the summer of 1970. His boat was fired on many times as it patrolled the Cambodian border, as well as the Uminh and Namcan forests in southern Vietnam. In the Swifts, says O'Neill, the average length of service was twelve months; John Kerry was in for four.

After a little over two years' duty, O'Neill himself departed Vietnam with two Bronze Stars (with "V"s for valor in combat) pinned to his chest. There were apparently several more decorations, but when I asked about them, his modesty triumphed over my curiosity. He also came home with a badly damaged knee and leg, which earned him some time in a military hospital. And it was there that John O'Neill started learning about the Senate testimony of someone named John Kerry. Distressed and angered by the future senator's allegations, none of which squared with his own experiences, O'Neill vainly wrote to the Foreign Relations Committee asking for a chance to testify himself.

Then he read an op-ed in the *New York Times* by Bruce Kessler, a former Marine and a leader of the new group, Vietnam Veterans for a Just Peace, which disparaged the Kerry allegations. O'Neill wrote to Kessler, who got him involved in a Washington press conference. "We were convinced," says O'Neill, that "Kerry's charges were false." *60 Minutes* and NBC both offered time for a debate—Kerry vs. O'Neill—but the former repeatedly balked. And then, miraculously, Kerry accepted an invitation from Dick Cavett to go head-to-head with O'Neill.

By this time, O'Neill had been star-spotted by President Nixon, and he met the president at the White House. (The sunny atmosphere turned a little frostier when O'Neill confided that he'd voted for Hubert Humphrey in '68: "The people all around me were shocked" when he told Nixon he was a Democrat.) He was also introduced to several Democratic congressmen and senators who didn't like Kerry's slanderous grandstanding.

As for the *Cavett Show* appearance, that was an invitation arranged by the television host himself, and had nothing to do with the White House; O'Neill

Dick Cavett, on that '70s show

ZUMA

even had to pay his own travel and hotel expenses. He wore "the only suit I had"—a not overly fashionable blue serge number unfortunately teamed with white socks. It mattered not. What mattered, says O'Neill, was that "I felt very passionate about the issue of war crimes. I had served in Vietnam with all those kids . . . and they reflected the people in the country as a whole. And the way [Kerry and his friends] falsely used war-crime charges involved a degree of political cynicism beyond my comprehension. I was outraged. I thought honestly about my friends who had died out there. And the unit we were in—Kerry and I—had suffered substantial casualties because of the restraints we placed on ourselves." O'Neill says that "Kerry, of course, knows this."

The debate was a success. "I always thought Kerry wouldn't be able to document evidence of war crimes," and so it was. His claim that these crimes were not isolated incidents but ordered by officers was nothing but a "barefaced lie." "Of course," O'Neill, with good humor, adds, "he was there for such a short time, he might not have known what was happening."

Well, the offers to do more TV appearances came rolling in, but O'Neill decided to pack his blue serge suit and go home. He went to the University of Texas Law School, and graduated first in a class of 554 with the third highest score in its history. In 1974, he clerked for U.S. Supreme Court justice William Rehnquist before returning to Texas to practice law. Specializing in large-scale commercial litigation—though he has often represented poor clients for free—he's been there ever since, founding along the way his own 35-lawyer firm (Clements O'Neill, for those of you with large-scale commercial-litigation needs).

He hasn't been politically involved since those heady days of the '70s. From 1972 onward, whenever people ran against Kerry, they asked O'Neill to spill some more beans, but he always declined—"because I believed in forgetting the thing." But I myself wondered, what suddenly prompted O'Neill to break his silence after all these years and talk to NATIONAL REVIEW? As he recuperated in an intensive-care unit after donating a kidney to his wife, Anne (now well on her way to recovery), a television story about Kerry leading the pack galvanized O'Neill. "It was déjà vu all over again; there was a *Lord of the Rings* quality to it, because here was the guy I had debated on the *Cavett Show* reappearing as the presidential candidate."

What O'Neill found particularly unsettling was that here was "a guy who believed everything we did in Vietnam was a crime" but who was now "campaigning on his record and claiming to be a war hero." In short, "the only reason I'm getting involved now is because he's running for commander-in-chief of the United States."

So there it is: a regular American—O'Neill, father of two, likes hiking, playing golf, and taking an active part in his church—not content anymore to allow Kerry and his kind to keep hijacking the Vietnam War. **NR**

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

■ PUBLIC POLICY

Boomerang!

Republicans should not try to beat Democrats at their own campaign-finance game

BRADLEY A. SMITH &
ALLISON R. HAYWARD

FOUR months ago, in the case of *McConnell* v. *FEC*, the Supreme Court upheld the constitutionality of the McCain-Feingold campaign-finance bill, now known as BCRA. It has already become cliché to pronounce this a "new era" in the regulation of politics, and—like many clichés—this one contains a kernel of truth; but the new era has more to do with Republicans' abandonment of their deregulatory principles than with the speech regulations the Court endorsed.

BCRA abolished "soft money" contributions to national party committees, placed numerous restrictions on fundraising by federal officeholders and candidates, and restricted broadcast advertisements mentioning a federal candidate and run with corporate or labor-union funds within 30 days of a primary election or 60 days of a general election. Most scholars were startled by the ease with which the Court declared these provisions constitutional. The decision proclaimed a new tolerance for the regulation of political activity, and a broad deference to Congress's judgment when it comes to the specifics. The Court seemed to see little danger that incumbents might have interests in regulating politics that are not shared by challengers, by others active in politics, or by society in general; and it seemed likewise to have little concern about the rights of the vast majority of political donors, who seek only to support candidates with whom they agree.

As dissenters in *McConnell* observed, political speech is now less constitutionally protected than "virtual" child pornography, cross burning, flag burning, tobacco advertising, sexually explicit cable-TV programs, nude dancing, and defamation. All this is new and troubling; but the more troubling change is in the debate itself.

The argument about campaign regulation used to be a spirited battle. On one side were so-called reformers—maybe better called utopians—who believed in the ability of the government to enact and enforce regulations that would cleanse politics of special-interest influence. They saw self-interested political activity as an impediment to good government; policymaking, in their view, should be an exercise in cold analysis and pure judgment of merits, removed from passion and electoral whim. For them, the right answer to any question would be obvious, and irresistible, were it not for all these "special interests." Thwart the political activity of these special interests, and progress would be inevitable.

On the other side of the debate were advocates of a pure laissez-faire approach, joined by those who saw problems in unfettered campaign activity but lamented the loss of political liberty inherent in campaign regulations. Implicit in the skepticism about regulating politics was a deeper point, which is that in any policy dispute there may be no objectively "right" choice, or such a "right" answer may not be obvious, even to experts. The give-and-take of ordinary politics may be the most legitimate way to come to a decision; the search for the "right" answer will be furthered by political debate and competition.

Before the *McConnell* decision, individuals and organizations that favored free markets, deregulation, and limited government (generally speaking, Republicans) could usually be counted on to advocate limited campaign-finance restrictions; and those that favored a big-government Leviathan (generally speaking, Democrats) could similarly be counted on to align with the utopians favoring more invasive restrictions.

Today, however, it seems that BCRA and the *McConnell* decision have knocked the wind from the sails of the deregulators. Those who favored free political discourse have suffered a serious loss of confidence. Many Republicans seem to have decided that the cause of free political speech no longer has independent value: They are trying to make aggressive use of the *McConnell* opinion to obtain short-term political gain. They claim that the broad scope of *McConnell* requires campaign regulators to prosecute groups that engage in political activity but had not before been considered federal political committees: the so-called "527" organizations, that is, groups exempted under Section 527 of the tax code that engage in political activity.

It has been widely reported that prominent Democrats are planning to use these 527 groups to pump tens, and perhaps hundreds, of millions of dollars into the 2004 campaign. In response, many Republicans have demanded that the FEC aggressively regulate these groups—even though the rise of 527s is exactly what Senator McConnell and other Republican opponents of McCain-Feingold had said would happen: If you ban soft money, soft money will simply change its address. This was a predictable result of the law that Congress passed.

Many Republicans seem to have decided that the cause of free political speech no longer has independent value.

Undeniably, there is superficial appeal to silencing the 527s. In a campaign, "any stick will do" to beat your opponent; and certainly there is some satisfaction in seeing those who used to support campaign-finance "reform" hoist on their own petard. But Christopher Hitchens likes to quote Chesterton's aphorism that when a man believes any stick will do, he tends to pick up a boomerang; and if broad restrictions are adopted, they will doubtless come back to smack the Republican party in the head. Republicans should be confident that their party has the right

Mr. Smith is chairman of the Federal Election Commission, and Mrs. Hayward is counsel to the chairman. The views expressed are those of the authors, and not of the Federal Election Commission.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

ideas, and that when it presents its platform clearly it wins. They should carry that big stick, not drop it to reach for the boomerang.

But whatever the political wisdom of this GOP strategy, we regulators should be skeptical of the legal basis for the pro-regulation argument in this case. In its landmark 1976 *Buckley* v. *Valeo* decision, the Supreme Court upheld some amendments to the Federal Election Campaign Act. That act had limited all expenditures "for the purpose of influencing any election for Federal office"; concerned about both vagueness and overbreadth in this provision, the Court—in order to preserve the constitutionality of the statute—interpreted this key phrase to apply only to what became known as "express advocacy," or explicit messages of support for or opposition to a candidate (such as "Vote for Clinton," "Stop Bush," or even "Lamar!"). Groups spending more than $1,000 on such messages are required to register and report to the FEC, and may take only contributions of $5,000 or less from individuals or other PACs.

BCRA was designed to expand regulation while staying within the *Buckley* framework. The legislation built on the express-advocacy concept, but did not change the definition of "contribution," "expenditure," or "political committee." Nothing in the Supreme Court decision changes this: The Court did not increase the scope of the statute beyond what Congress passed and the president signed. The Court's opinion does strongly suggest that Congress could broaden the definition of "expenditure" to cover independent groups; but Congress did not do that.

Nevertheless, in a draft rulemaking currently before the public for comment, the FEC asks whether it should apply the law this way. But in *McConnell*, the Supreme Court majority wrote: "Interest groups, however, remain free to raise soft money to fund voter registration, GOTV [get-out-the-vote] activities, mailings, and broadcast advertising (other than electioneering communications)."

The Commission's obligation is to enforce the law. It is not to enforce the law as some wish Congress had written it, or as some members of Congress now wish that they had written it, or now claim to have written it, or as seems to serve the interests of a particular campaign.

If the FEC adopts a broad rule regulating interest groups, including 527s, that decision will significantly expand the regulatory regime, and capture liberal and conservative groups alike. When it comes to campaign finance, Republicans should go back to their deregulatory roots. Republicans thrive when the intellectual climate supports greater freedom and smaller government. Campaign-finance reform passed Congress, and was upheld by the Supreme Court, because groups hostile to freedom spent hundreds of millions of dollars to create an intellectual climate in which free political participation was viewed as a threat to democracy. To even hope to restore these lost freedoms, the case must be made that political speech is good and proper—even when remarkably unfair in its allegations, even when funded by George Soros. The party of political liberty and limited government should not contribute to an anti-freedom, pro-big-government intellectual environment for some uncertain political gain.

The case must be made that political speech is good and proper—even when remarkably unfair in its allegations, even when funded by George Soros.

Twenty-five years ago, Ronald Reagan wrote to a campaign supporter as follows: "Maybe one day some sanity will return to government, and some of the more repressive campaign laws will be repealed. Experiencing them from the inside as a candidate, I can assure you they are not helpful to the democratic process—namely in allowing the candidates to get their message to the greatest number of people."

That—and not an aggressive and statutorily questionable expansion of the regulatory regime—is the Reagan legacy. **NR**

■ **CULTURE WATCH**

Kicking the Corpse

Why the mutilation of dead bodies repulses us—or should

THEODORE DALRYMPLE

WHY do we find the mutilation of bodies, such as that recently perpetrated by the jubilant crowds in Fallujah upon the four Americans they had killed, so deeply repellent, worse even than the murder itself? A rationalist would have difficulty explaining the strength of this feeling, though he would nevertheless share it with people whom he regarded as irrational.

Murder, after all, is supposedly the worst crime you can commit: and the rationalist should argue that, having deprived a man of his life, there is no further harm you can do him since he has ceased to exist as a possible subject of harm. It isn't a question of upsetting the victim's relatives, either, for the mutilation would be just as repellent if the man were entirely alone, without a friend or relative in the world to be upset by it. The mutilation of the body of a dead tramp would be just as terrible as that of a dead king. The act itself is what repels, irrespective of who, if anyone, suffers by it.

In England in the 18th century, before the Anatomy Act was passed, there was a shortage of bodies from which the surgeons might learn anatomy by dissection. The only bodies they were permitted by law to dissect were those of criminals who had been hanged, at best an inadequate and uncertain supply of cadavers; and to be anatomized was popularly regarded as a far worse punishment than execution itself.

Mr. Dalrymple is a physician and psychiatrist who works in a British prison. He is also a contributing editor of *City Journal* and the author of *Life at the Bottom: The Worldview That Makes the Underclass.*

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Hogarth's *Four Stages of Cruelty*, published in 1751, treated the dissection of the miscreant in Surgeon's Hall as the ultimate nemesis: Punishment could not go further or be more extreme. The crowds at public executions, which had no objection at all to the executions themselves, often tried violently to prevent the body of a hanged man from falling into the hands of the surgeons. For them, this was a desecration that no one, however wicked he had been during life, could possibly deserve.

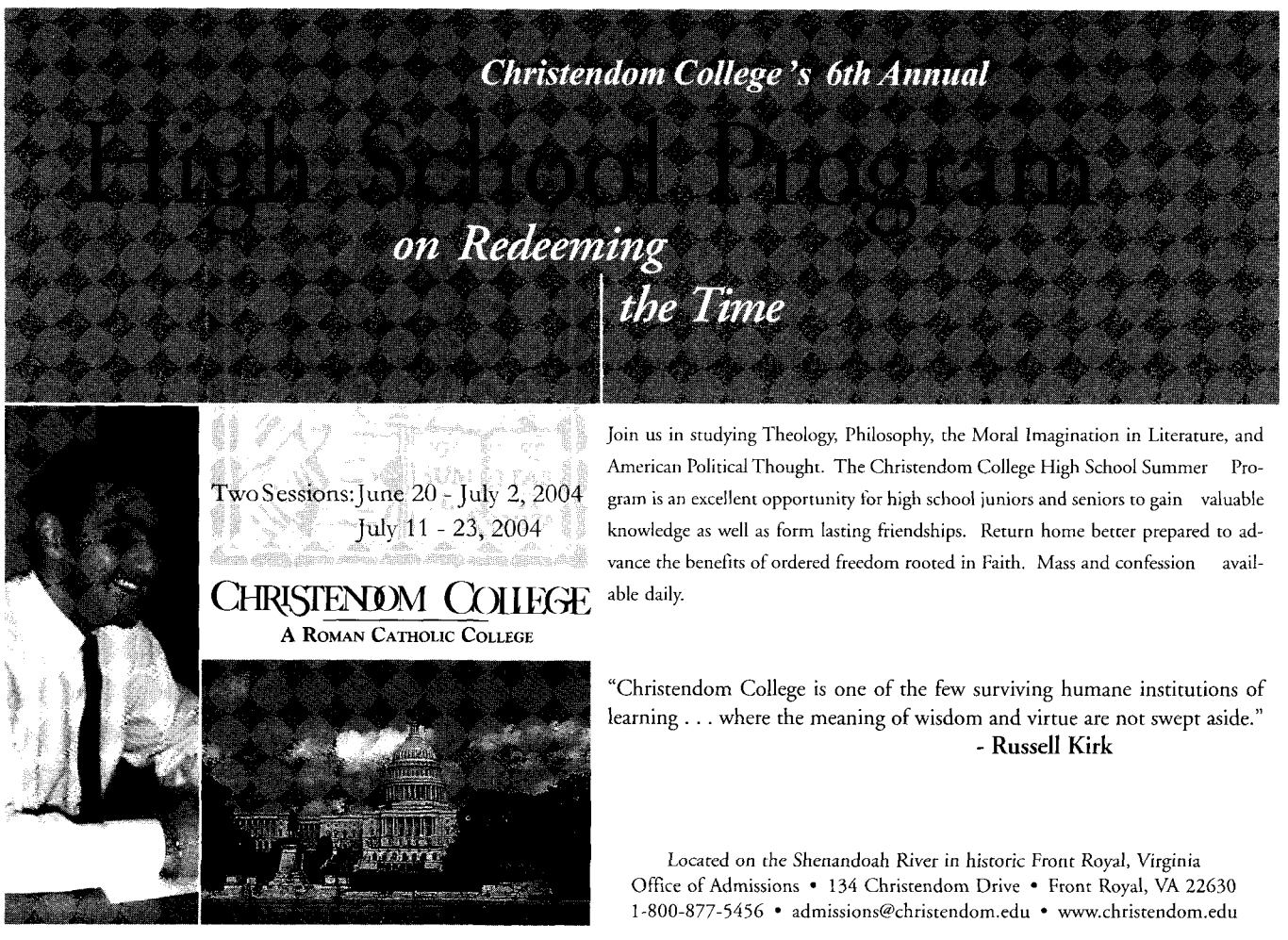
In the days before computerized anatomy lessons, medical students were taken to the dissection room on their first day in medical school. This violation of their natural feelings was to them what the first two weeks of insult and humiliation is to Marines: a rite of passage and an intimation that, henceforth, they were not as other men and women are, but had a special ethic of their own. The fact of having desecrated a human body was testimony to the seriousness of this ethic; and if the students made macabre jokes while dissecting, it was as a defense against the horror of what they were doing.

The rapidly falling rate of postmortems performed in hospitals is something that as a doctor I deplore, for the postmortem is the final diagnostic court of appeal and an unequaled way for physicians to learn from their mistakes (interestingly, the technological refinements of the past few decades have not increased the proportion of correct diagnoses proved at postmortem, suggesting that technological sophistication may have been accompanied by a decline in personal skill among physicians). But while I recognize the value of the postmortem to humanity, I don't particularly want one performed on me or anyone I care for, unless the victim of foul play: for there remains an aura of desecration about the whole business of the mortuary that no higher purpose can entirely dissipate.

Mankind owes a great deal to postmortems, much as they might revolt its natural feelings. Without them, there would have been no science of pathology, and without pathology, modern medicine would hardly even have started. But mankind owes nothing to the kind of mutilation seen in Fallujah, quite the contrary. This is always a symptom of limitless barbarity.

It is perfectly possible to kill enemies without mutilating them or otherwise showing them disrespect. Indeed, it has been common military practice to render military honors to slain opponents. Their shared humanity is thus recognized, and their killing implicitly understood to be regrettable, however necessary.

By contrast, the joyful scenes in Fallujah send shivers down the spine. By treating those they killed in such a fashion, the participants in the killing denied the common humanity of their victims. They did not merely see them as enemies: They saw them as beings to whom nothing whatever was owed. If it is true that those who burn books will soon burn people, how much truer is it that those who disrespect the dead will soon disrespect the living? This is a very poor augury for Iraq's future, and for that of the region as a whole. After all, the people who mutilated the four Americans hate not just Americans, but many of


Christendom College's 6th Annual
High School Program
on Redeeming
the Time
Two Sessions: June 20 - July 2, 2004
July 11 - 23, 2004
CHRISTENDOM COLLEGE
A Roman Catholic College
Join us in studying Theology, Philosophy, the Moral Imagination in Literature, and American Political Thought. The Christendom College High School Summer Program is an excellent opportunity for high school juniors and seniors to gain valuable knowledge as well as form lasting friendships. Return home better prepared to advance the benefits of ordered freedom rooted in Faith. Mass and confession available daily.
"Christendom College is one of the few surviving humane institutions of learning . . . where the meaning of wisdom and virtue are not swept aside."
- Russell Kirk
Located on the Shenandoah River in historic Front Royal, Virginia
Office of Admissions • 134 Christendom Drive • Front Royal, VA 22630
1-800-877-5456 • admissions@christendom.edu • www.christendom.edu

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

their fellow Iraqis of a different religious sect or ethnic group. In fact, they hate everyone who is not one of them. Peace will not reign when the Americans depart.

The perpetrators were declaring by their actions that their hatred, anger, and enmity knew no limits, and that in their view, their hatred, anger, and enmity justified any violation, any act whatever. The joy they expressed during their gruesome performance was in part the joy of having liberated themselves from the irksome constraints of civilization itself. Henceforth they could give vent to their primitive and cruel destructive urges, such as lurk in the breast of all mankind, in the belief that they were serving a higher cause. There is no joy greater in the sinful heart of man than to do evil in the name of good.

Our horror and revulsion at the maltreatment of human remains illustrates the limitation of the rationalist and materialist outlook on life. I remember as a child having a ten-volume children's encyclopedia in which there was a picture of the chemical contents of the human body arranged in little heaps: so much carbon, so much phosphorus, so much sulfur, and so forth. This was the foundation of what one might call the philosophy of nothing-but: Man is nothing but a pile of carbon, phosphorus, and sulfur, cunningly rearranged. He may appear to be alive; actually he is inanimate.

No civilized person, however, could live as if this were true, even if it were true. That is why atheists have funerals. These rather odd ceremonies always end up by becoming like pagan rituals, acknowledging or at least intimating some kind of higher power, not further specified, just as it is acknowledged or intimated in the meetings of Alcoholics Anonymous. In other words, the idea of the sacred is very deep-seated in humanity, and almost ineradicable, certainly not by ratiocination alone.

Almost ineradicable, but not quite. Strong emotion can do what mere syllogism cannot, reason being always the slave of the passions. And there is no emotion stronger or more pleasurable than that of hatred, especially when it is held in the name of justice. Then it can produce miracles of transformation and amnesia. It can make people forget their humanity; it can turn ordinary people into monsters of depravity; it can eradicate all sense of the sacred from the heart. And that is precisely what happened at Fallujah. **NR**

■ **CULTURE WATCH II**

Few, Proud, Remarkable

With U.S. Marines-to-be

RICHARD LOWRY

Parris Island, S.C.

A MORNING here is invariably punctuated by shouts and yells. Standing at an area reserved for martial-arts training sometime around 7:00 A.M.—practically afternoon by Parris Island standards—I can hear platoons in the distance well before I can see them. There are the distinct barking voices of drill instructors, inevitably followed by the staccato collective answers of their platoons of recruits.

When the platoons come into view, the recruits are jogging in loose formation, constantly prodded and harried by drill instructors wearing yellow T-shirts, running up and down among them, picking out recruits for shouted instructions, correction, or what seems pure harassment. The instructors appear eternally pissed, bending at the waist to lean in close to the recruits' faces to give them the full blast of their yells.

This is the beginning of the process that will create the Marines who will fight in Fallujah and elsewhere in Iraq. It is no exaggeration to say that U.S. national security depends on what happens here, in the interaction between the recruits and the drill instructors charged with forging them into Marines.

Even for a civilian who sympathizes with the values and culture of the military, it can be painful to watch. In one exercise, the recruits fight with "pugil" sticks. They climb up on four-foot-high ramps wearing football helmets and neck pads, and try to inflict on each other what would be "killing blows" if they were made with bayonets instead of the padded sticks. Each pair fights for three rounds before coming back down.

One recruit receives a vicious backhanded blow to the head and is thrown off the ramp. He climbs back up the ramp and the martial-arts instructor policing the bouts looks him in the eyes to see if he is still all there and sends him back down. Wobbly on his feet, he descends only to meet a drill instructor who asks him what the hell he's doing and tells him to go back up.

He squares off against his competitor again and is promptly hit in the head and knocked down. He stumbles to his feet and is told to fight again. Right back down. This time he can barely get up and weaves his way back down the ramp. He has trouble taking off the gear and other recruits surround him to lift his helmet and pads off. The drill instructor is at his side, spitting invective right at him: "You're disgusting, Duncan. You hear me? You're disgusting."

Not "Nice try." Not "Better luck next time." Not "Everyone has bad days"—"You're disgusting." Everything about the incident runs counter to our civilian culture, in which the recruit would be protected 1) from being beaten so badly, 2) from having to fight more after he had had enough, and 3) from getting berated afterward. But then, civilians aren't Marines.

Recruit training has plenty of moments that would delight Joseph Heller. When a recruit scratches his head, a drill instructor confronts him and forces him to scratch his entire head really hard: "You want to scratch, huh? You want to scratch? Scratch your head! Scratch your head *now*!" Drill instructors will huddle with a recruit to give him instructions, then yell, "Get away from me!" Then two seconds later say, "Come back!" And as soon as the recruit scurries back, order, "Get away from me!"

The Marines say every small thing has a purpose, and so it does. When they forbid recruits to scratch the relentless bites from the island's sand fleas, there is a reason—any wrong move on a battlefield can give away a position. When they force recruits always to shout their responses, their faces often distorted with the effort, there is a reason—you need to be heard on the battlefield. When they constantly urge recruits to move faster ("Hurry up!" and "Today!" are two of the most frequent exhortations), there's a reason—commands have to be carried out with alacrity in dangerous situations. When recruits are given seemingly pointless commands, there is a reason—to establish an absolute and unquestioning submission to authority.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Most of all, the recruits are being melded into a unit. When they show up here, they are told that "I" is no longer part of their vocabulary. This creates an awkward syntax. The recruits refer to themselves in the third person, a little like Bob Dole—"This recruit requests permission to make a head call, sir." But unlike Bob Dole the third person doesn't suggest self-obsession, instead denoting its opposite. The Marines realize that the path to true self-esteem—to self-confidence and competence—runs through the obliteration of selfishness.

The Marines are proud of this ethic and of themselves for instilling it to the point of institutional cockiness. Being a Marine is a state so exalted the only thing that could possibly compare to it is being a Marine. Recruits are constantly drilled on Marine Corps history. When they're sitting waiting to fight with the pugil sticks, a drill instructor asks, "Who is the father of Marine Corps aviation?" The answer comes back, "A. A. Cunningham, sir." "Who is the father of Marine Corps aviation?" "A. A. Cunningham, sir."

Training on Parris Island

STEPHEN MORTON/GETTY

It is the drill instructors who are the carriers of the Marine Corps culture and tradition, passing it along to the recruits. All the shouting breaks down their voices, which become either fingernails-across-a-chalkboard raspy or bullfrog deep. It can be hard to understand what they are saying, although the recruits always get it—these are the voices that govern their lives. Especially at the beginning of the process, the instructors are relentlessly tough on the recruits, trying to instill in them an ethic of never quitting and make them think as a group.

For all the hardship they deal out, the drill instructors are working as hard as the recruits. They have signed up for brutal hours and physically taxing days. One drill instructor says he tells recruits convinced that their instructor hates them, "If that's so, how come you see him more than his children see him?" The instructors' philosophy is that the harder they are on the recruits, the better they will eventually be as Marines. By the end, as that process has had its effect, the drill instructors have become more mentors than tormentors.

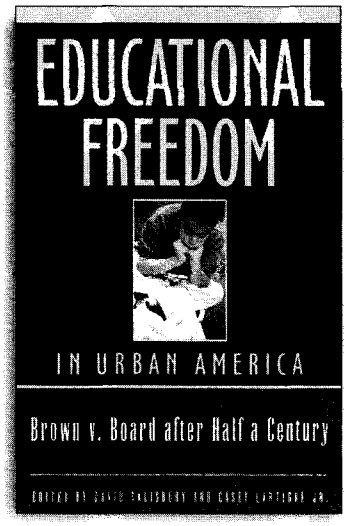
During the "crucible"—the culmination of training when recruits spend a few days on long marches, sleeping outside—a drill instructor sits on a tree stump as his recruits sit around him. They are wearing camouflage and cleaning their M-16s and ask the instructor questions, about how to get ahead in the Marines, about his experiences, and about the training exercise to come. It's clear that a process of imprinting has occurred, with the recruits attached to the instructor like so many ducklings. And a relationship once based on seeming hostility has become a kind of mutual respect as the day approaches when they will all have in common the honor of being a Marine.

The recruits are heartbreakingly young, many of them 18 years old. Drill instructors talk of working the baby fat off them. It gives a terrible reality to the lists of dead soldiers in Iraq in the newspapers, many of them 21 years old or younger. Every day at Parris Island, the flag is lowered just before sunset to the doleful sound of "Taps," an occasion to remember the sacrifice of so many over the years and the sacrifice that will be made by some of the recruits here now.

Without this training, few would be willing to risk making that sacrifice, or know how to avoid making it by killing the enemy first. During the crucible, one recruit gets pulled aside to talk to a reporter. He is assured that his drill instructor isn't watching and that he can relax. He doesn't. His face is smeared with black camouflage paint and he stands straight with his heels together, never cracking a smile. He explains how he joined up partly to avoid the lax and aimless lives of his friends back home: "This recruit is going to be a Marine. Now this recruit is going to be hard and tight." He is from New Jersey and explains, "September 11th made this recruit angry." Twelve weeks ago, he was an ordinary kid. Not anymore: "This recruit will be proud to serve his country. This recruit will die for his country." **NR**

"An exceptional contribution to the fight for educational equality in America."

—Jeb Bush



In 1954 the U.S. Supreme Court declared segregated public schools unconstitutional. The ruling in *Brown v. Board of Education* set public education on a course toward equality. Yet, five decades later, schools are not equal. In this collection of essays, a dozen leading scholars, educators, and reformers—including Andrew Coulson, Floyd Flake, Frederick Hess, and Paul E. Peterson—examine the modern barriers that deprive inner-city children of a good education. *Educational Freedom in Urban America* is essential reading for anyone concerned with the racial and social inequities that still exist in American education.

May 2004, 342 pp.
Cloth $24.95, ISBN 1-930865-56-2

Available at bookstores nationwide
www.cato.org • 800-767-1241

CATO INSTITUTE

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Outsource, Outsource, and Outsource Some More

A boon to the American economy

DANIEL T. GRISWOLD

WHEN President Bush's chief economist, Gregory Mankiw, observed in February that foreign outsourcing "is probably a plus for the economy in the long run," reaction was swift. In a press release the following day, John Kerry thundered: "Unlike the Bush Administration, I want to repeal every tax break and loophole that rewards any Benedict Arnold CEO or corporation for shipping American jobs overseas." Hillary Rodham Clinton chimed in: "I don't think losing American jobs is a good thing. The folks at the other end of Pennsylvania Avenue apparently do." Even Republican House Speaker Dennis Hastert piled on, saying the ex-Harvard professor's "theory fails a basic test of real economics. An economy suffers when jobs disappear." In March, the Republican Senate overwhelmingly passed an amendment that would deny certain federal contracts to companies that outsource work abroad.

So is foreign outsourcing "just a new way of doing international trade," as Mankiw and other free-traders argue, or is it a threat to American jobs foisted on us by corporate traitors trolling the globe for cheap labor?

An examination of one particular sector—the information-technology (IT) industry—proves that Mankiw is right: "Foreign outsourcing" is just a buzzword for international trade in services. Contracting for services abroad has become increasingly cost-effective owing to the personal computer, which has digitized much of our work, and the high-speed and deregulated transmission of that information through broadband and the Internet. IT companies are increasingly outsourcing thankless jobs—routine programming, data entry, and system monitoring—abroad.

Foreign outsourcing allows American IT companies to cut dramatically the cost of certain services; as a result, the companies become more competitive in what they do best, their "core competencies." Better and more affordable services become available for consumers and taxpayers. According to a 2003 study by the McKinsey Global Institute, outsourcing delivers large and measurable benefits to the U.S. economy: It reduces costs for IT and other services by as much as 60 percent, keeping U.S. companies competitive in global markets, benefiting workers and shareholders alike. It stokes demand abroad for the export of U.S.-supplied computers, telecommunications hardware, software, and legal, financial, and marketing services. It returns profits to the United States from U.S.-owned affiliates abroad, and it allows U.S. companies to redeploy workers in more productive jobs here at home. McKinsey calculates that every dollar spent on foreign outsourcing creates $1.12 to $1.14 of additional economic activity in the U.S. economy.

HOW MANY LOST JOBS?

One of the frustrations of the outsourcing debate is the lack of hard numbers. Nobody really knows how many jobs have been outsourced overseas. Unlike bushels of soybeans or slabs of steel, jobs are not counted at a dock and loaded on a ship for India or China. The best estimates from the IT industry are that perhaps 300,000 to 400,000 jobs previously performed in the U.S. are now done overseas through contractors. The much-cited Forrester Research report of November 2002 projected that 3.3 million jobs would be outsourced from 2000 through 2015, or about 220,000 a year. (More than half of those would be call-center type jobs, and only one out of six would be white-collar IT jobs.)

Even if accurate, those numbers are just drops in the huge bucket of an $11 trillion economy that employs 137 million people and creates and destroys millions of jobs every month. Even

Mr. Griswold is associate director of the Center for Trade Policy Studies at the Cato Institute.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

in times of healthy employment growth, 350,000 people file for unemployment insurance *every week*. The Labor Department figures that, during the past decade, our economy created an average of 32.8 million new jobs each year while eliminating 31.0 million, for a net annual gain of 1.8 million. Jobs lost to outsourcing are but a small channel in the torrential "job churn" normal for a dynamic market economy.

Indeed, far more Americans lose their jobs to technology or domestic competition than to foreign outsourcing or other forms of international competition. Think of all the former typists, telephone operators, and bank tellers whose work has been replaced by computers and other machines. Kodak announced earlier this year that it would lay off 15,000 workers, not because of foreign competition but because digital cameras have depressed the sale of film. Between 1988 and 2000, a net half-million jobs for typists and word processors were eliminated, not because they were outsourced but because they were made redundant by computers. Apparently job losses become news only if they can be blamed on a foreign bogeyman.

Even IT's job losses since 2000 have not been driven by foreign outsourcing. Displaced high-tech workers should blame not Indian computer programmers but the bursting of the dot-com bubble, the market plunge, the 9/11 attacks, the corporate scandals, and slow growth abroad. A fundamental mistake made by outsourcing's critics has been to confuse the passing pain of the IT recession with an alleged long-term decline in this sector. They compound their mistake by comparing current output and employment levels with those at the frenzied peak of the boom in 2000, rather than with more normal levels from the late 1990s. A more accurate and less alarming picture of the industry emerges if we compare the state of the industry a few years after the bubble burst with its state a few years before.

THE BEST JOBS STAY HERE

Beginning in the early 1990s, with the takeoff of Windows-based computing and the Internet, employment in the IT industry surged. Employment in software and related services grew by one million between 1993 and 2000, before dropping by 166,000 between 2000 and 2002. The story has been much the same across other IT sectors: stupendous growth throughout the 1990s, then a pullback in employment of 10 to 20 percent during the recession. In the IT industry as a whole, employment levels even after the recession are still no lower than in 1998. During the past decade, annual employment in the IT industry has still grown twice as fast as employment in private industry in general.

Despite the turbulence of the past four years, the U.S. IT-services sector remains a major force in the U.S. economy. Domestic software, computer, and communications services accounted for a combined $621 billion in 2003, up from $510 billion in 1999. IT services that are moving offshore are more than offset by increased output at home. Any sluggishness in employment growth has been because of rising productivity, not because of falling production.

The jobs that have been lost in the IT sector tend to be lower-skilled and lower-paid jobs. From 1999 through 2002, total employment in the IT industry did drop by more than a quarter of a million, from 6.24 million to 5.95 million. But declining employment was concentrated in those occupations requiring relatively low or moderate levels of training and education. In contrast, the number of IT jobs that require a relatively high level of training and education was actually higher in 2002 than it had been in 1999. In the year before the bubble burst, the industry employed 3.43 million workers whose jobs required at least an associate's degree and work experience. After a surge of hiring in 2000, followed by a painful shakeout, the number of such skilled workers stood at 3.51 million in 2002, up 2.3 percent from 1999. Contrary to the popular fear that "our best jobs" are going overseas, the best jobs are staying here.

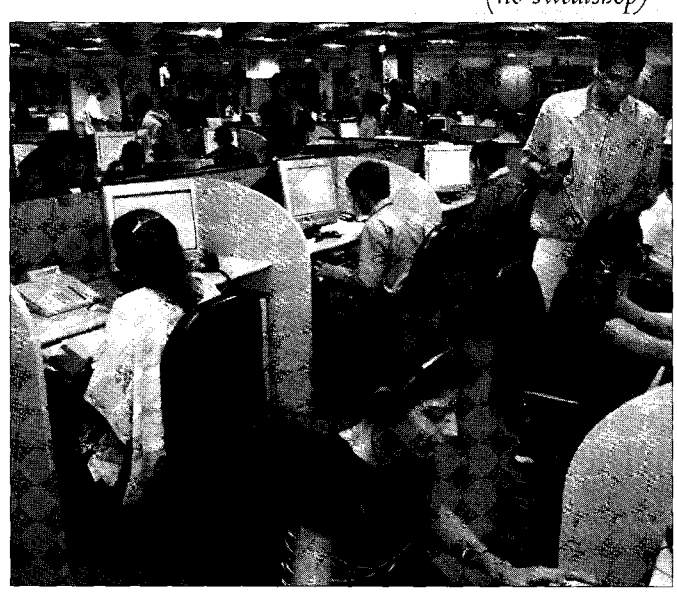
The recovery and expansion of job creation that has already begun in the IT sector should continue. According to the Labor Department's biannual projections, the number of jobs in the computer and mathematical sciences is expected to increase from 3 million to 4 million in the next decade, a rate of growth twice as fast as employment in the rest of the private economy. Seven of the 30 fastest-growing occupations will be in the computer field. Despite the lingering slackness in IT employment, those jobs still pay an average of $67,000 a year.

A TWO-WAY STREET

Another reality lost in the outsourcing debate is the amount of outsourcing the rest of the world sends to the U.S.: We are far and away the world's top destination of outsourcing of information-technology, financial, communications, and other business services. In 2002, U.S. companies exported $14.8 billion worth of computer, data-processing, research, development, construction, architectural, engineering, and other IT services. During that same year, Americans imported $3.9 billion of those same kinds of services. So for every dollar Americans sent abroad for IT outsourcing in 2002, the world sent more than three dollars to the U.S. for "insourcing." If Congress launches a war against foreign outsourcing, American companies and workers will be among the first casualties.

Outsourcing, like trade in general, is reshaping for the better the world beyond our borders. In a classic win-win result from trade, outsourcing invigorates

A call center in India (no sweatshop)



BRIAN LEE/CORBIS

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

the U.S. economy at the same time it builds a pro-American middle class in India and other developing countries. The Indian high-tech sector is flourishing because they are following the U.S. model of zero tariffs on imported software and hardware, no restrictions on foreign investment, and an emphasis on post-secondary education. The Indian economy is now achieving Chinese levels of double-digit growth. So far the growth has been concentrated in the high-tech sector, but the effect there has been profound. Hundreds of thousands of young Indian college graduates are realizing the fruits of middle-class life that we all take for granted. Although the $8,000 paid to an Indian programmer sounds ridiculously low in American terms, it can buy about five times as much in India, enabling a worker to rent his own apartment, own a cell phone, make car payments, and travel abroad.

In February I spent a week in India talking with IT executives and touring the main facilities of some of India's largest IT companies. Except for the cows at the gate, I could have been in Silicon Valley. All the equipment and facilities are state-of-the-art. At one call center, I looked out over a sea of cubicles, phones, PCs, and casually dressed college graduates in an air-conditioned office complex. Except for the Indian flags, I could have been anywhere in the U.S. If that was a sweatshop, so are most offices in America.

The Indian high-tech companies and workers who service the U.S. market have an obvious affinity for the American model. They consciously follow U.S. business practices. They have adopted our policies of deregulation and open markets. They buy American hardware. They work with and for American investors. They speak fluent English. Many have relatives who live and work in the U.S. In this time of rising anti-American feeling around the world, when we are desperately trying to win friends and influence events in South Asia and elsewhere, it would be hard to find a more naturally pro-American enclave than the Indian high-tech sector. What could be more short-sighted than to disrupt our growing, mutually beneficial trade with the world's most populous democracy to save a sliver of jobs that are probably heading out the door anyway?

So far, the rhetoric against outsourcing has been worse than the legislative action. The main legislative vehicle against outsourcing has been restrictions on government contracts. Earlier this year, Congress enacted a temporary ban on certain contracts with companies that would outsource the work; about 20 states are considering similar language for state contracts. Those restrictions on government procurement would come at a high cost for the few jobs that would be saved: Taxpayers will pay more for existing services, or receive less service for the same price. Furthermore, these measures invite retaliation against the juicy target of U.S. service exporters—and make a mockery of the U.S. government's calls for more opportunities for American companies to bid competitively for government contracts abroad.

More fundamentally, restrictions on outsourcing would slow the dynamic progress of the U.S. economy and the growth of more prosperous and pro-American middle classes abroad. Let's hope the demagoguery against outsourcing wanes before the politicians can do real mischief. **NR**

■ **HISTORY**

They Charge War Crimes

How John Kerry et al. have defamed the American serviceman in Vietnam

MACKUBIN T. OWENS

VIETNAM is the war that just won't go away. And for many Americans, especially those in the media, nothing says "Vietnam" quite like "atrocity" and "war crime." Indeed, it is the conventional wisdom that My Lai, the darkest chapter of America's war effort, was merely a microcosm of the war.

This belief that Vietnam was one big atrocity explains why most reporters, even those too young to remember it, are predisposed to believe the worst about America's role in Indochina. As everyone now knows, a young John Kerry, testifying before the Senate in April 1971, gave credence to the charge that U.S. policy in Vietnam violated the laws of war and that individual service members routinely committed war crimes and atrocities. Some have defended Kerry by arguing that only a small part of his testimony dealt with atrocities and war crimes; unfortunately for them, there is something called the Internet that permits people to read Kerry's testimony in full, and to see that that characterization is wrong. Others have embraced Kerry as a hero for refusing to accept what former anti-war activist Tom Hayden called the "fabrications, delusions, and fantasies" Americans had embraced to assuage their guilt about Vietnam. In a touching defense of his ex-wife in *The Nation*, Hayden wrote: "It will be easier, I am afraid, for those Americans to believe that Jane Fonda helped torture our POWs than to accept the testimony by American GIs that they sliced ears, burned hooches, raped women, and poisoned Vietnam's children with deadly chemicals." And Lawrence O'Donnell said, on MSNBC on February 11, that "everything that John Kerry has said about the Vietnam War was true. It was an unjust war for American interests. . . . There was not a worthy moment of American military intervention in Vietnam."

With all due respect, these people have no idea what they are talking about. There are two issues here. The first is the broad claim that the U.S. conducted the Vietnam War in violation of international law. The second is that U.S. servicemen committed atrocities regularly. The evidence doesn't support either claim. As Guenter Lewy observed in his indispensable book *America in*

Mr. Owens, a contributing editor to National Review Online, is a professor of strategy and force planning at the Naval War College in Newport, R.I.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Vietnam, these charges for the most part were "based on a distorted picture of the actual battlefield situation, on ignorance of existing rules of engagement, and on a tendency to construe every mistake of judgment as a wanton breach of the law. Further, many . . . critics had only the most rudimentary understanding of international law and freely indulged in fanciful interpretations of conventions and treaties so as to make the American record look as bad as possible."

THE LAWS OF WAR

Atrocities and war crimes are acts of violence in wartime the brutality and cruelty of which exceed military necessity. Among them are looting, torture, rape, massacre, mutilation of the enemy dead, and the killing of captured soldiers or non-combatants. The enumeration of certain acts of war as atrocities and war crimes is a relatively recent phenomenon, corresponding to the emergence of civilization from savagery.

In the West, restraint in war was institutionalized by various conventions during the late 19th and early 20th centuries. In April 1863, the Union Army was issued General Order 100, the "Lieber Code," a manual that attempted to codify the laws of land warfare. The Lieber Code became the model for a number of European manuals. International conventions followed, including the Geneva Convention of 1864 and the Hague Conventions II (1899) and IV (1907).

The West has placed three general constraints on its conduct of warfare: proportion, discrimination, and the positive law of war. *Proportion* means that particular actions must be proportionate to military necessity and not involve needless suffering or destruction. *Discrimination* means that direct intentional attacks on noncombatants and non-military targets are prohibited. The *positive law of war* derives from conventions, customs, the general principles of law, decisions in international law, and the writings of authorities. The most important conventions that underlie the positive law of war (and therefore provide guidelines for the conduct of war) include the Hague Convention IV, the Geneva Convention of 1949, the 1977 Protocols to those conventions, and the Nuremberg precedent.

The law of war attempts, as far as possible, to civilize war: to strike a balance among the principles of *military necessity*, *humanity*, and *chivalry* and to employ the public conscience of civilized nations to restrain war. Thus, the Martens Clause of the Preamble to the 1899 Hague Convention II reads: "Until a more complete code of the laws of war is issued, the High Contracting Parties think it right to declare that in cases not included in the Regulations adopted by them, populations and belligerents remain under the protection and empire of the principles of international law, as they result from the usages established between civilized nations, from the laws of humanity, and the requirements of the public conscience." The positive law of war thus attempts to codify the principle that belligerents do not have an unlimited right to harm their adversaries.

The key to applying the law to particular situations is the principle of *military necessity*, which holds that, subject to the principles of humanity and chivalry, a belligerent is justified in applying the amount of force necessary to achieve the complete submission of the enemy as soon as possible, with the least expenditure of time, life, and resources. Military necessity recognizes that a commander's overriding concern is the accomplishment of his mission and the safety of his troops. One would not attack a populated area, increasing the risks of civilian deaths, unless such attack were essential to the campaign. *Humanity* is the self-evident recognition of the fact that one's enemy is also a human being; prohibitions against killing or torturing prisoners, and the generally recognized obligation to provide medical treatment to wounded prisoners, flow from this principle. *Chivalry* is the customary recognition of the idea that the strong protect the weak. Soldiers do not declare war on women or children because it is dishonorable to do so. If women or children engage in war, however, the principle of military necessity usually takes precedence over chivalry.

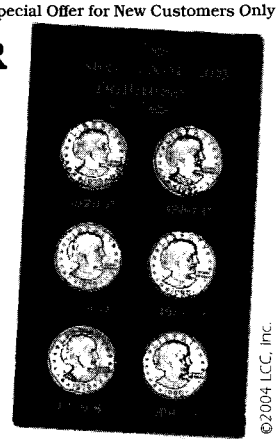
VIETNAM AND 'WAR CRIMES'

The standard claim against the U.S. in Vietnam was that its actions violated the international law of war, or constituted war

Complete 2-Year Set of

SHORTEST U.S. DOLLAR SERIES SINCE 1795!

Special Offer for New Customers Only



The only dollar series with a shorter life than the Susan B. Anthony dollar was the 1794-95 Flowing Hair – America's 1st dollar!

The Anthony dollar was first released into general circulation for only two years – 1979 & 1980, and then briefly one final time in 1999! With this special offer you get all 6 Susan B. Anthony dollars from the first two years of issue. Included are coins from every mint that struck them – Philadelphia, San Francisco and Denver – for only $10.00. Plus, you'll also get the low-mintage, last-year "P" and "D" mint Anthony dollars from 1999 – FREE! In all you'll save $18.15 off individual prices.

Ridiculed by the public as the "Carter quarter" the mini dollar is fast becoming a prized collectible. Hard to put together now, a Complete 2-Year Set will get even harder. Fill out the coupon below and mail today!

You'll also receive our fully illustrated catalog, plus other fascinating selections from our Free Examination Coins-on-Approval Service, from which you purchase any or none – return balance in 15 days – with option to cancel at anytime. Don't Delay! Supplies on this impressive 6-coin Susan B. Anthony collection are strictly limited. Order now!

45-Day Money Back Guarantee of Satisfaction
Nearly 60 Years of Friendly Service to Collectors

©2004 LCC, Inc.

www.littletoncoin.com/specials

Plus, FREE! Final-year low-mintage 1999 "P" & "D" Anthony dollars

☑YES! Please send me the Susan B. Anthony six-coin 1979 & 1980 All-Mint Set at the low introductory price of $10 per set. (Regularly ~~$28.15~~ - limit 2.) Plus, my FREE 1999 "P" & "D" Anthony dollars (one per customer, please).

Order deadline: 12:00 Midnight, June 1, 2004

Method of payment:
❑ Check or Money Order enclosed
❑ VISA ❑ MasterCard ❑ American Express ❑ NOVUS Cards
Card No. Exp. Date ____/____

Name _____
Address _____
City _____ State ____ ZIP _____

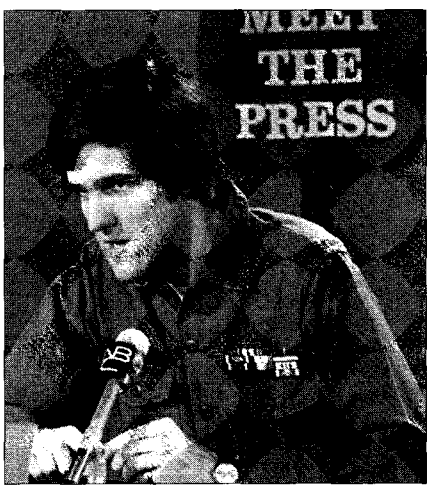
How Many (limit 2): ____
Total Cost at $10.00 each: $ ____
Shipping & Handling: $ 1.00
Total Amount: $ ____

Send coupon to:
Littleton Coin Company
Dept. KVP458
1309 Mt. Eustis Road
Littleton NH 03561-3737

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

crimes and crimes against humanity. For example, in 1969, Noam Chomsky wrote that the U.S. was waging "a criminal war" in Vietnam. That same year, a group of distinguished American theologians—including Martin Luther King Jr. and Abraham Joshua Heschel—wrote that "when we measure American actions in Vietnam against the minimal standards of constraint established by the Hague Convention of 1907 and the Geneva Conventions of 1929 and 1949, our nation must be judged guilty of having broken almost every established agreement for standards of human decency in time of war." Anti-American groups such as the Committee of Concerned Asian Scholars accused the U.S. military of committing atrocities in the ordinary course of combat and conducting a policy of genocide against the Vietnamese by means of "indiscriminate killing of civilians." And of course, in 1971, John Kerry told *Meet the Press* that he "committed the same kinds of atrocities as thousands of other soldiers," including the use of "free-fire zones," participation in search-and-destroy missions, and burning villages.

But the Nuremberg Tribunal defined "war crimes" as violations of the laws or customs of war: "Such violations shall include, but not be limited to, murder, ill-treatment, or deportation to slave labor or for any other purpose of civilian population of or in occupied territory, murder or ill-treatment of prisoners of war or persons on the seas, killing of hostages, plunder of public or private property, wanton destruction of cities, towns, or villages, or devastation not justified by military necessity." And the Tribunal listed under "crimes against humanity" the following: "murder, extermination, enslavement, deportation and other inhumane acts committed against any civilian population, before or during the war; or persecutions on political, racial or religious grounds." Using these Nuremberg guidelines, it is very difficult to support the claim that U.S. conduct of the Vietnam War was characterized by the commission of war crimes or crimes against humanity. The U.S. action was generally within the guidelines of the positive law of war; excesses and violations were usually treated as such.



BETTMANN/CORBIS

'. . . committed the same kinds of atrocities as thousands of others.' Oh, yeah?

Consider just one example: the claims that the U.S. employed firepower indiscriminately and made use of "free-fire zones." No one can deny that there was, in Lewy's words, a "lavish use" of firepower by Americans in Vietnam: It was a part, for better or worse, of the "American Way of War." Americans look at soldiering as temporary, something to be gotten over as quickly as possible. Firepower is the American substitute for expending infantrymen's lives.

But the use of firepower does not *per se* violate the law of war. And it was, after all, the Viet Cong and North Vietnamese who turned hamlets into battlefields. The Communist practice of "clutching the people to their breast" was a violation of the Geneva Convention of 1949, which prohibits a combatant from using the civilian population as a shield: "The presence of a protected person may not be used to render certain points or areas immune from military operations." And while the Hague Convention IV (1907) prohibits the attack or bombardment of inhabited areas that are not defended, it is the general practice of states to treat a town occupied by a military enemy as a defended place, subject to attack.

That the official U.S. position was to avoid indiscriminate attacks on civilians is indicated by a 1966 directive from the U.S. military command: "Firing on localities which are undefended and without military significance, is a war crime." Clearly, the U.S. command attempted to abide by the principle of discrimination, but the method of fighting employed by the enemy made discrimination difficult in practice.

Ironically, at the same time Hanoi's apologists were accusing the U.S. of killing innocent civilians, North Vietnamese Communists were claiming that there really was no such thing as a noncombatant. North Vietnamese General Vo Nguyen Giap, as well as other advocates of "people's war," maintained that "the people" were in effect soldiers, that the role of "the people" in a protracted war was essential, and that success in a people's war required the total commitment of the population. "Every citizen is an enemy-killing combatant. Every house is a combat cell; every village or factory a fortress." On occasion, women and children set mines and boobytraps, or engaged in other warlike actions against Americans. Nonetheless, the official U.S. position never abandoned adherence to the principle of discrimination, and despite the severe difficulties of the Vietnam environment, most commanders and individual soldiers discriminated between civilians and the enemy when at all possible.

And, strangely enough, a major U.S.-South Vietnamese effort to facilitate discrimination was attacked by critics as itself a war crime. To enhance both the security of the South Vietnamese population and the effectiveness of U.S. firepower, some of the South Vietnamese were relocated, and certain areas known to be hostile were designated as "specified strike zones" (a euphemism for free-fire areas). Critics charged that such relocations were in violation of the 1949 Geneva Convention. But in fact that convention not only *allows* the evacuation of civilians from a combat zone, it imposes a *duty* to effect such relocations. Article 49 refers to an "Occupying Power" in its prohibition against "mass forcible transfers, as well as deportations of protected persons from occupied territory to the territory of Occupying Power or to that of any other country occupied or not." The main intention of this article is thus to prohibit the deportation of subject populations for the purpose of employing them as forced labor, as the Germans did in World War II. But even if it is claimed that the U.S. was an Occupying Power—which it was not—Article 49 allows "total or partial evacuation of a given area if the security of the population or imperative military reasons so demand." Both conditions existed in many contested areas of Vietnam.

ATROCITIES?

The record shows that the U.S. conducted the Vietnam War with remarkable restraint. Between 1965 and 1973, 201 soldiers and 77 Marines were convicted of serious crimes against the Vietnamese. My Lai is the exception that proves the rule. One of the best wit-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

nesses for this point of view is Daniel Ellsberg, a severe critic of U.S. policy in Vietnam, who rejected the argument that My Lai was in any way a normal event: "My Lai was beyond the bounds of permissible behavior, and that is recognizable by virtually every soldier in Vietnam. . . . The men who were at My Lai knew there were aspects out of the ordinary. That is why they tried to hide the event."

My Lai was an extreme case, but anyone who has been in combat understands the thin line between permissible acts and atrocity. The first and potentially most powerful emotion in combat is fear arising from the instinct of self-preservation. But in soldiers, fear is overcome by what the Greeks called *thumos*, spiritedness and righteous anger. Unchecked, *thumos* can engender rage and frenzy; it is the role of leadership, which provides strategic context for killing and enforces discipline, to prevent this outcome. Such leadership was not in evidence at My Lai.

American atrocities in Vietnam were, with the exception of My Lai, committed by individuals or small groups. All were in violation of standing orders and rules of engagement that were, according to Telford Taylor, a critic of many aspects of U.S. Vietnam policy and formerly a prosecutor at Nuremberg, "virtually impeccable." Indeed they were so restrictive that they provoked a great deal of criticism from members of Congress appalled at the disabilities placed on American units. The random violence of individual American acts is not to be condoned or excused, but objective observers must contrast them to the policy of the Vietnamese Communists. The NVA and VC frequently committed atrocities as a matter of policy. A month and a half before My Lai, the North Vietnamese and VC systematically murdered 3,000 people in Hue City. Yet so widespread was the belief that Americans were conducting a barbaric war that many opinion-makers refused to believe, despite the irrefutable evidence, that the wholesale slaughter of civilians in Hue was perpetrated by the Communists. This mindset was revealed by Mary McCarthy, who said of the incident: "I prefer to believe the Americans did it."

By confessing atrocities, the Vietnam veterans, once denigrated as 'babykillers,' were able to receive absolution from the Left.

WHY DO PEOPLE BELIEVE IT?

If U.S. policy in Vietnam did not constitute a gross violation of international law, and if atrocities were not as widespread as conventional wisdom would have it, what accounts for the claim that the U.S. conducted a particularly brutal and immoral war in Vietnam? I believe there are three sources: 1) Soviet propaganda; 2) the belief on the part of the veterans who related atrocity stories that they were telling their listeners what they wanted to hear; and 3) liars and phonies.

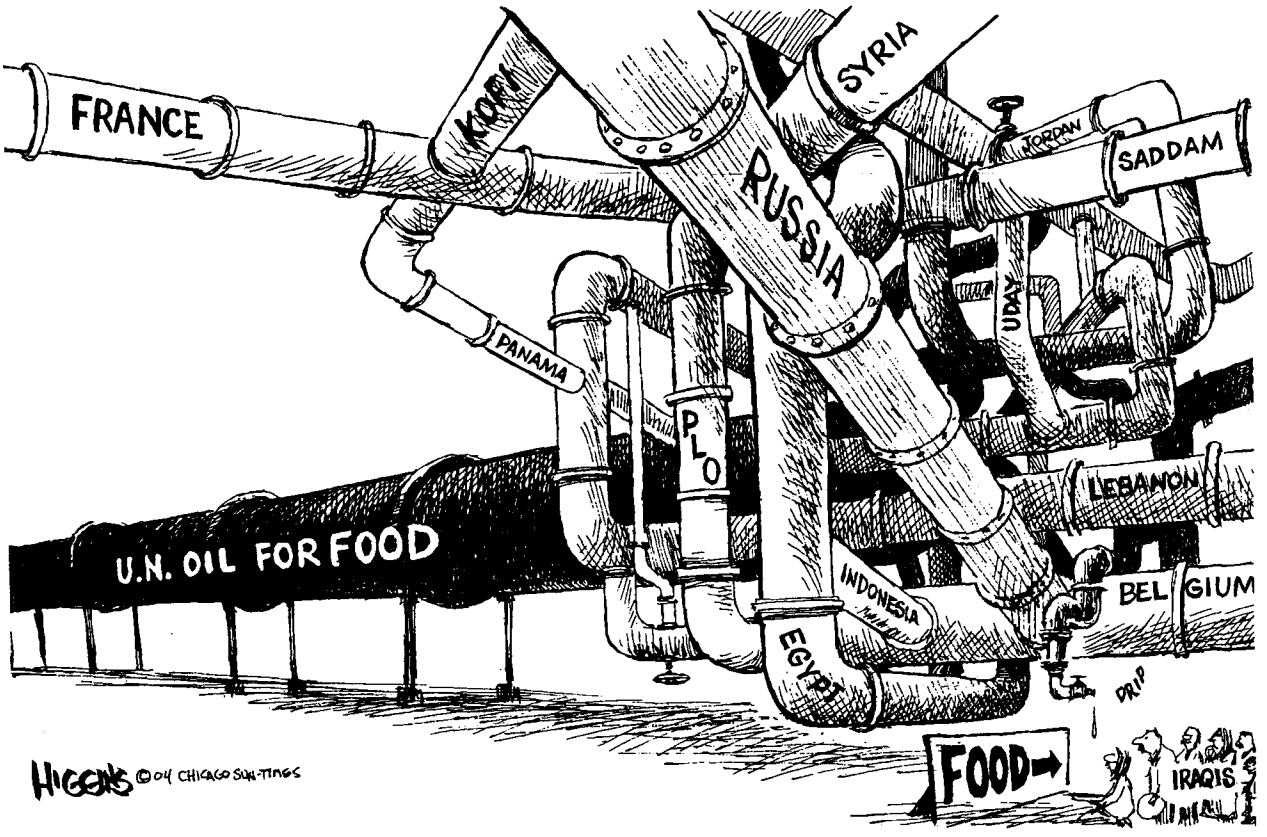
Guenter Lewy notes the establishment of a veritable war-crimes industry, supported by the USSR, as early as 1965. As Ion Mihai Pacepa, a former Romanian intelligence chief, has recounted, the Soviets set up permanent international organizations—including the International War Crimes Tribunal and the Stockholm Conference on Vietnam—"to aid or to conduct operations to help Americans dodge the draft or defect, to demoralize its army with anti-American propaganda, to conduct protests, demonstrations, and boycotts, and to sanction anyone connected with the war." Pacepa claims to have been responsible for fabricating stories about U.S. atrocities in Vietnam and "flacking" them to Western news organizations. Lewy writes that "the Communists made skillful use of their worldwide propaganda apparatus . . . and they found many Western intellectuals only too willing to accept every conceivable allegation of [American] wrongdoing at face value." The Vietnam Veterans Against the War (VVAW), a small, radical group that never exceeded a membership of 7,000 (including John Kerry) from a pool of nearly 3 million Vietnam (and 9 million Vietnam-era) veterans, essentially "Americanized" Soviet propaganda. When he testified before the Senate in 1971, Kerry was merely repeating charges that had been making the rounds since 1965.

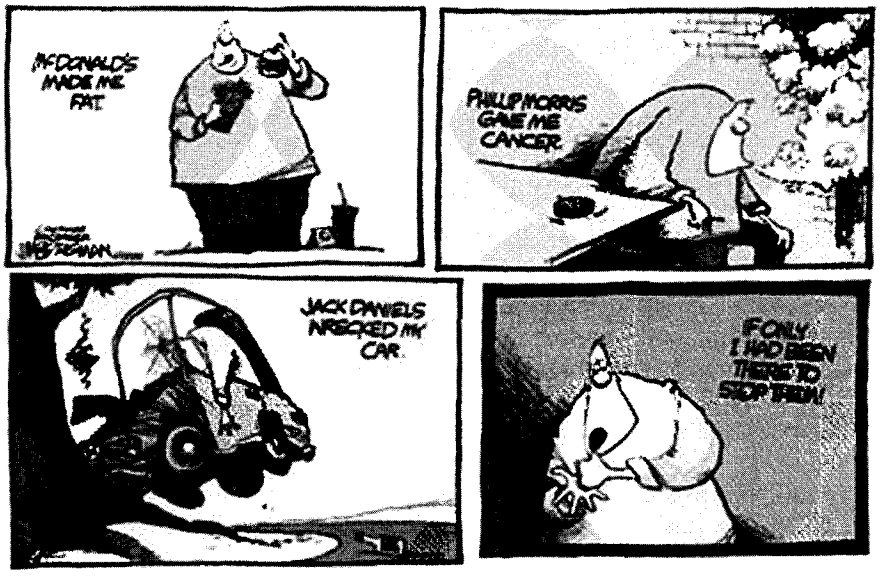
To the anti-war Left, atrocities revealed the Nazi-like character of "Amerika." But, unlike their Nazi counterparts, U.S. soldiers could be redeemed: By confessing atrocities, the Vietnam veterans, once denigrated as "babykillers," were able to receive absolution from the Left, and were transmuted into innocent victims of a brutal war. American military sociologist Charles Moskos has suggested that atrocity stories out of Vietnam were the functional equivalent of heroic war stories from World War II: They provided a meaning to participation in Vietnam that resonated with those who opposed the war and were now judging the returning soldiers. Some atrocity claims were the product of outright fantasy, on the part of soldiers who returned from the war emotionally disturbed. The (anti-war) psychiatrist Robert Jay Lifton wrote of a veteran who, after some time in group therapy, could "confess that he had been much less violent in Vietnam than he had implied. He had previously given the impression that he had killed many people there, whereas in actuality, despite extensive combat experience, he could not be certain he had killed anyone." Finally, there are the phonies: In their invaluable book *Stolen Valor*, B. G. "Jug" Burkett and Glenna Whitley demonstrated that some 1,700 individuals—including some of the most prominent examples of the Vietnam veteran as dysfunctional loser—had fabricated their war stories. Many had never even been in Vietnam.

True believers on the political left will never accept the fact that there is little evidence to support the claim that Americans committed atrocities as a result of operational policy in Vietnam. But for the rest of America there may be a way to get at the truth. An enterprising reporter should do what Jug Burkett did: get the names and service numbers of all veterans who testified before the various "tribunals"; use the Freedom of Information Act (FOIA) to gain access to their real records; and then check whether they were in a position to have committed or witnessed atrocities. That is as close to a definitive answer as we are likely to get. **NR**

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

HELP!!!!





LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The Race to Watch

Chafee, Voinovich, and Snowe,
Stay close to your radio
On the 27th, when
Specter's fetid Pennsy fen
Could be right-wing Toomey's; who
Strains to wave a toodle-oo
At that icky lib the way
Beowulf nixed Grendel's stay.

—W. H. von Dreele

"Can you loan me ten till the Democrats regain the White House?"

YOU TWO HERE TO BE MARRIED?
YES
WELL, STEP UP AND BE COUNTED...
WHY SOCIETY WOULD TRY TO IMPOSE ITS MORAL VALUES ON US IS BEYOND ME...
IT'S PERFECTLY NATURAL FOR TWO PEOPLE IN LOVE TO WANT TO GET MARRIED...
YOUR FATHER SHOULD BE PROUD OF YOU...
HE IS MY FATHER.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

the long view

ROB LONG

A *Nightline* Fantasia

Transcript from ABC News's *Nightline* with Ted Koppel, September 15, 2001

TED KOPPEL: "And so then what happened?"

MOHAMED ATTA: "Well, Mr. Koppel, as I was boarding the plane, or should I say, trying to board the plane, a uniformed officer took me aside . . ."

TED KOPPEL: "Just you?"

MOHAMED ATTA: "No, no. That's the thing. It wasn't just me. It was me and a guy named Abdulaziz Alomari, a guy named al-Shehri . . . and a couple of other guys. I mean, do you get it? Do you see what's going on here?"

TED KOPPEL: "Mr. Atta, if I may, it seems that what you're saying here . . ."

MOHAMED ATTA: "It's all in our lawsuit."

TED KOPPEL: "If I may, sir, it seems that what you're saying here is that the government systematically profiled you and your associates . . ."

MOHAMED ATTA: "My associates? Mr. Koppel, I didn't know all of the gentlemen they detained. Oh, one or two I knew from around, you know, Hamburg and Kabul and flight school. But we were nodding, hey-how-are-you friends. Not close. I wouldn't say close."

TED KOPPEL: "In any case, sir, the essence, if I may, of your complaint, if I may call it that, is that the FAA, acting on a directive from the intelligence branch of the federal government, detained several Arab men and prevented them from boarding their flights?"

MOHAMED ATTA: "Yes. That is correct, Mr. Koppel. And that's racism. Racism and racial profiling and it's illegal and we're suing for damages."

TED KOPPEL: "You and . . ."

MOHAMED ATTA: "The other gentlemen who were detained for racial reasons. We were pulled out of line, searched, our possessions were confiscated . . ."

TED KOPPEL: "These would be the famous box cutters?"

MOHAMED ATTA: "We're not allowed to cut boxes, I guess. Not in Bush's America, I guess. Not with Bushitler in charge!"

TED KOPPEL: "Sir . . ."

MOHAMED ATTA: "The American people have got to wake up! Bush and Cheney and his gang are trying to turn this into a police state. You know the old saying, 'When they came for the Jews, I said nothing because I was not a Jew'? 'And then when they came for me, there was no one left to speak up'? Well, it's like that with us. Not the part about the Jews, of course, but the general idea: When they came for the single, male Arab nationals with expired visas traveling without luggage, I said nothing because I was not a . . .

TED KOPPEL: "I understand, sir. Next, we have . . ."

MOHAMED ATTA: "First they pull out of Kyoto, then they boycott the U.N. Racism Conference in Durban. The signs are there, people. This is an administration out of control!"

TED KOPPEL: "Sir, if I may . . ."

MOHAMED ATTA: "You can't know how upsetting and distressing this is, Mr. Koppel."

TED KOPPEL: "I'm sure, sir. We have with us Dr. Condoleezza Rice, national security adviser to President Bush. Dr. Rice, your response to Mr. Atta's complaint?"

DR. RICE: "Well, obviously, we're very sorry for the distress our heightened terrorist alert may have caused Mr. Atta."

MOHAMED ATTA: "Too late! I was going to a wedding!"

DR. RICE: "Without luggage?"

MOHAMED ATTA: "I travel light. Is that a crime, too?"

DR. RICE: "Secondly, as the newly released presidential daily briefing clearly shows, we had credible evidence that Islamic fundamentalist terrorists were going to attempt something in this country . . ."

TED KOPPEL: "Something? That's pretty vague, wouldn't you say?"

DR. RICE: "At the time . . ."

TED KOPPEL: "I've read the briefing, and with all due respect, Dr. Rice, it's really more of a historical document, wouldn't you say? And it's pretty vague at that. Something might happen? How do you get from a page-and-a-half memo to stopping and searching every Arab or Arab-appearing male on every flight in the country?"

DR. RICE: "Well, in the first place . . ."

TED KOPPEL: "Are you a racist?"

DR. RICE: "No! And if I may finish . . ."

TED KOPPEL: "Then is the president a racist?"

DR. RICE: "Sir, if I could just . . ."

MOHAMED ATTA: "Ted, it's been a nightmare for us."

DR. RICE: "Ted, I think you have to see this in context. Think about what might have happened had we not . . ."

TED KOPPEL: "With all due respect, Dr. Rice, that's a pretty big hypothetical."

MOHAMED ATTA: "Yes, it is."

TED KOPPEL: "Dr. Rice, did the administration overreact to these vague threats?"

DR. RICE: "We believe that . . ."

MOHAMED ATTA: "Dr. Rice should resign!"

DR. RICE: "Mr. Atta and his companions are known to have trained in Afghanistan with a shadowy terrorist figure named Osama bin Laden. They trained in flight schools across the country. They were carrying weapons . . ."

MOHAMED ATTA: "Box cutters!"

TED KOPPEL: "Mr. Atta, what about this bin Laden figure?"

MOHAMED ATTA: "What about him?"

TED KOPPEL: "Have you met him?"

MOHAMED ATTA: "Good heavens! I don't know. Maybe. I'd have to check my day planner. The point is, the racist Bush admini . . ."

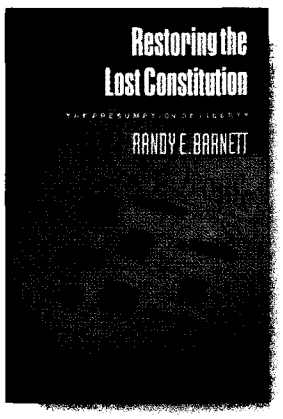
DR. RICE: "Ted, all the men detained had shaved the hair off their bodies. It's a way devout Muslims prepare for death."

MOHAMED ATTA: "More racism! Ted, we're metrosexuals!"

TED KOPPEL: "We'll be back in a moment."

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The Freedom Framers



Restoring the Lost Constitution: The Presumption of Liberty, by Randy E. Barnett (Princeton, 366 pp., $32.50)

RAMESH PONNURU

PARTISAN debates about judges can mislead casual observers into thinking that the Right is of one mind about the judicial function. In fact, right-leaning legal thinkers have been engaging in several vigorous, sometimes fierce, internal debates. The most famous position is that of Robert Bork: He believes judges should be bound by the Constitution's original meaning, and allow laws to stand unless they violate its specific prohibitions. Some conservatives object to Borkean originalism because of its alleged moral relativism: Supposedly, the originalist can say of a law only that it was enacted validly by a majority, but cannot determine whether it is right or wrong. Many libertarians have their own quarrels with originalism: They find it insufficiently protective of individual rights.

In *Restoring the Lost Constitution*, Boston University law professor Randy Barnett attempts to move beyond this debate by fusing originalism and libertarianism. It is a thoughtful, earnest, generally careful, and courteous attempt to argue for the proposition that the Constitution, as originally understood, requires federal judges to nullify most laws that infringe on individual liberty. All we must do is go back to the original Constitution. But I am afraid that this marriage of Robert Bork and Richard Epstein cannot be made to work, even in Massachusetts.

Barnett begins by exploring the conditions that make a government "legitimate," in the sense that people are bound in conscience to obey it. He criticizes the widespread view that legitimacy comes from "the consent of the governed." To be binding, consent would have to be both real (voting cannot be taken to imply consent unless not voting is taken to imply its absence) and unanimous (your consent cannot bind me). In a large polity, however, such consent is impossible. Barnett argues instead that a government is legitimate only when its lawmaking procedures provide assurances that its laws will be just. To be just, the laws must both "properly respect the rights of those on whom they are imposed and [be] necessary to protect the rights of others." The Constitution tries to ensure that laws will have these characteristics.

Barnett then moves to a defense of originalism as the proper method for interpreting the Constitution. He sees having a written constitution as one way to ensure the protection of rights and thus produce a legitimate government. Much of the value of its writtenness would be defeated if its meaning could be transformed through interpretation. Hence originalism. But originalism is insufficient to guide judges' constitutional decisions. When original meaning does not yield a clear answer, a rule (or some rules) of construction are needed. A "presumption of constitutionality," in which judges leave statutes on the books if in doubt, is such a rule (albeit one that Barnett criticizes). Barnett explains why he sides with the "overwhelming majority of courts and scholars" in believing that the judiciary's power to nullify laws it deems unconstitutional is well grounded in the Constitution's original meaning—selecting quotes from the Constitutional Convention, the Federalist Papers, and the state ratifying conventions to make his case.

To determine how this power should be used requires an explanation of the original meaning of important constitutional provisions. Barnett starts with the clause that gives Congress the power to make all laws that are "necessary and proper" to execute its enumerated powers. Modern courts have held that clause to grant Congress an almost unlimited power. But Barnett contends that for a law to be "necessary and proper" under the clause it must be tightly related to an enumerated power that is its purpose and not just its pretext. These conditions must be shown to the satisfaction of the courts.

The privileges or immunities clause of the Fourteenth Amendment places a similar constraint on state laws. It empowers the federal courts to block the states from violating their citizens' natural rights, including but not limited to those listed in the Bill of Rights. The Ninth Amendment, which says that the "enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people," should be understood to mean that the courts must protect those rights not listed in the Constitution as vigilantly as they protect those that are. This can be done by adopting a rule of construction that fits the Constitution better than the presumption of constitutionality: a "presumption of liberty" that "places the burden on the government to establish the necessity and propriety of any infringement on individual freedom." Only this presumption can create a duty of obedience in the citizenry. If laws do not have to survive the scrutiny of a skeptical judiciary, they could be "mere exercises of will" that command obedience "merely because the consequences of disobedience are onerous."

Barnett's theory makes morals laws impermissible. If they stood, "there would be no limit on state power since no court could review the rationality" of the underlying moral judgment. "One thing is certain," writes Barnett: "The original meaning of the entire Constitution, as amended, is much more libertarian than the one selectively enforced by the Supreme Court."

I do not doubt that this contention is, in

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

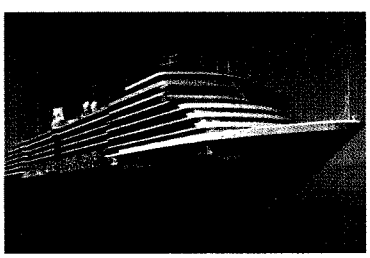
2004 Caribbean

November 13–20 on

A PHENOMENAL CAST OF PREMIER CONSERVATIVE SPEAKERS INCLUDING
Renowned author **VICTOR DAVIS HANSON,** Islam expert **BERNARD LEWIS,**
Republican party chairman **ED GILLESPIE,** acclaimed author **DINESH D'SOUZA,**
Club for Growth boss **STEPHEN MOORE,** syndicated columnist **MICHELLE MALKIN,** *and*
NR editors **RICH LOWRY, JAY NORDLINGER, RAMESH PONNURU, and JOHN DERBYSHIRE**

I am pleased to announce our next exciting seafaring adventure: the *National Review* 2004 Post-Election Caribbean Cruise. Featuring an incredible cast of conservative celebrity speakers—and remarkably affordable accommodations (prices start at just $1,549 per person, and "singles" can get a luxurious room for only $1,899!)—this special trip will take place November 13-20, 2004, aboard Holland America Line's new MS *Zuiderdam*.

This wonderful journey will afford you the unique opportunity to meet some of America's most preeminent conservative celebrities: "definites" for this special voyage are the esteemed author **Victor Davis Hanson** (the renowned academic has become one of the most influential writers on America and terrorism—and with his new book, *Mexifornia*, also on immigration—since September 11), **Bernard Lewis** (the eminent Princeton professor is the world expert on Islam's bloody history with the West—his *What Went Wrong?* and *The Crisis of Islam* are *must*-reads), Republican National Committee chairman **Ed Gillespie**, economist and Club for Growth president **Stephen Moore**, acclaimed author **Dinesh D'Souza**, syndicated columnist **Michelle Malkin** (her 2003 immigration book, *Invasion*, caused a sensation!), National Review Online favorite **John Derbyshire**, *NR* Editor **Rich Lowry**, Senior Editor **Ramesh Ponnuru**, Managing Editor **Jay Nordlinger**, and Editor-at-Large **John O'Sullivan** (we're awaiting RSVPs from other conservative All Stars we've invited to participate in this special week of "topics and tropics").



Join them for seven relaxing days and nights of politics and policy, conservative revelry, and world-class luxury cruising.

As *NR* cruise alumni (there are thousands, the "typical" one has gone on three or four of our very *bon* voyages!) know, our trips are remarkable events, marked by scintillating political shoptalk, wonderful socializing, intimate dining with our editors and speakers, making new friends, the rekindling of old friendships—and, of course, grand cruising. That's what's in store for you on the ***National Review* 2004 Post-Election Caribbean Cruise.**

There are countless reasons for you to come, but none bigger than the luminaries who will be joining us for this luxury trip—what a truly extraordinary gathering! It's one of the best ensembles we've ever had on an *NR* cruise, which guarantees that our seminar sessions—featuring ample audience "Q & A"—will be fascinating.

✔ Where does one *begin* to question **Bernard Lewis** about the brutal revival of the millenium-old struggle between Islam and the West?!

✔ Ditto for **Victor David Hanson,** who will share his expertise on the moral struggle required for America and democratic nations to battle terrorism and defend freedom.

✔ Who is *better* positioned to discuss the state and fate of the Republican Party than chairman **Ed Gillespie** (who wrote great pieces for *NR* once upon a time before he took over the GOP)?!

✔ Who can give keener insight on the war between conservatives and RINOs (Republicans In Name Only) than Club for Growth boss **Stephen Moore**? Or a sounder assessment of red-hot cultural issues (like campus "diversity" and immigration) than the brilliant **Michelle Malkin** and **Dinesh D'Souza**?!

✔ And they'll be joined in all the ruminating, elucidating, and analyzing of the 2004 elections and their aftermath (President Kerry?!) by *NR*'s editorial heavyweights, led by **Rich Lowry,** who will be ably assisted by **Ramesh Ponnuru, Jay Nordlinger,** and **John Derbyshire** (a big reason National Review Online is the favorite of millions!).

We so want you to "experience" these conservative luminaries that we've engineered remarkably affordable prices, starting as low (indeed our *lowest* prices *ever!*) as $1,549 (p/p). And singles can get their own

ENJOY SEVEN BALMY DAYS AND COOL CONSERVATIVE NIGHTS!

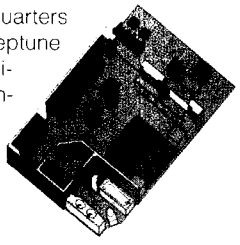
DAY/DATE	PORT	ARRIVE	DEPART	SPECIAL EVENT
SAT/Nov. 13	Ft. Lauderdale		5:00 PM	
SUN/Nov. 14	Half Moon Cay	8:00 AM	4:00 PM	morning Catholic Mass evening cocktail reception
MON/Nov. 15	AT SEA			morning/afternoon seminars late-night smoker
TUES/Nov. 16	St. Thomas, USVI	8:00 AM	12 Midnight	
WED/Nov. 17	Tortola, BVI	7:00 AM	6:00 PM	evening cocktail reception
THURS/Nov. 18	AT SEA			morning/afternoon seminars late-night smoker
FRI/Nov. 19	Nassau, Bahamas	12 Noon	7:00PM	morning seminar evening cocktail reception
SAT/Nov. 20	New York City	8:00AM		

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Holland America Line's MS *Zuiderdam*

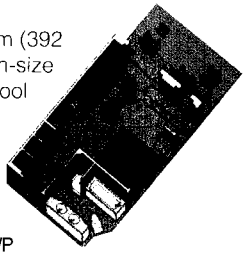
Superior service, gourmet cuisine, elegant accommodations, and great entertainment await you on the beautiful *Zuiderdam*. Prices are per-person, based on double occupancy, and include port fees, taxes, gratuities, transfers (for those booking airfare through Holland America), all meals, entertainment, and admittance to and participation in all *National Review* functions. Rates for third/fourth person in cabin:

Age	Categories S, SS & A	Category D	Category K
19+	$1092	$991	$889
2-18	$842	$741	$639



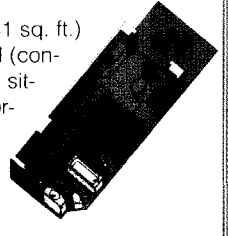
DELUXE SUITE Magnificent luxury quarters (563 sq. ft.) features use of exclusive Neptune Lounge and Personal Concierge, complimentary laundry, pressing and dry cleaning service. Large private verandah, king-size bed (convertible to 2 twins), whirlpool bath/shower, dressing room, large sitting area, DVD, mini-bar, and refrigerator.

Category S
DOUBLE OCCUPANCY RATE: $ 3,599 P/P
SINGLE OCCUPANCY RATE: $ 4,999



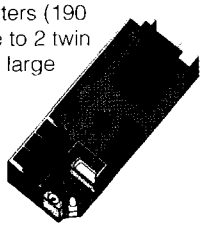
SUPERIOR SUITES Grand stateroom (392 sq. ft.) features private verandah, queen-size bed (convertible to 2 twin beds), whirlpool bath/shower, large sitting area, DVD, mini-bar, refrigerator, floor-to-ceiling windows, and much more.

Category SS
DOUBLE OCCUPANCY RATE: $ 2,799 P/P
SINGLE OCCUPANCY RATE: $ 3,599



DELUXE OUTSIDE Spacious cabin (241 sq. ft.) features private verandah, queen-size bed (convertible to 2 twin beds), bath with shower, sitting area, mini-bar, tv, refrigerator, and floor-to-ceiling windows.

Category A
DOUBLE OCCUPANCY RATE: $ 2,399 P/P
SINGLE OCCUPANCY RATE: $ 3,199



LARGE OCEAN VIEW Comfortable quarters (190 sq. ft.) features queen-size bed (convertible to 2 twin beds), bathtub with shower, sitting area, tv, large ocean-view windows.

Category D
DOUBLE OCCUPANCY RATE: $ 1,899 P/P
SINGLE OCCUPANCY RATE: $ 2,399

LARGE INSIDE Cozy but ample cabin quarters (185 sq. ft.) features queen-size bed (convertible to 2 twin beds), bathtub with shower, sitting area, tv, large ocean-view windows.

Category K
DOUBLE OCCUPANCY RATE: $ 1,549 P/P
SINGLE OCCUPANCY RATE: $ 1,899

cabin for just $1,899! That *includes* all those "extras" like port fees, taxes, and gratuities! Just look at the chart on the left and check out our phenomenal rates.

We've made it so affordable that you simply *can't* miss this trip.

Of course, the special "extras" that *NR* brings—the seminars, receptions, and intimate dining with speakers—come on top of the great cruise, which takes place on the beautiful MS *Zuiderdam*. Still gleaming from her recent inaugural, she's Holland America's classiest vessel. You'll find the accommodations to be truly luxurious, matched only by the indulgent, courteous staff, superior cuisine, and top-notch entertainment and excursions.

The ***National Review* 2004 Post-Election Caribbean Cruise** features sunny itinerary—our voyage will visit Half Moon Cay (Holland America's glorious private island), the Virgin Island ports of St. Thomas and Tortola, and Nassau in the Bahamas. Tours, watersports, napping on a hammock on a pristine beach, quaffing a cool libation under a palm tree—get ready for a week of fun and R&R.

Of course, you can experience that on many a cruise. But what you can experience *only* on an *NR* cruise are those exclusive extras that make up our extensive program. Over the course of the week we will be holding (and we hope *you* will be enjoying!)at least five seminars (each brimming with two-plus hours of bite and wit as our panels of experts make sense out of current events and the recent elections, and divine what's ahead in Washington and elsewhere for 2005 and beyond), three cocktail parties (hot hors d'ouevres, cool drinks, and warm friendships), two late-night poolside smokers—featuring **H. Upmann**'s wonderful cigars and complimentary cognac. And on top of all that comes dining with our guests: on at least two nights you'll enjoy intimate dinners with of our speakers and *NR* editors.

Sign up now. Use the application on the following page (it provides pricing on Holland America's affordable "Fly Cruise" airfare program) to reserve your stateroom, or order directly (and immediately) on our special website—**www.nationalreviewcruise-carib.com.**

Take the trip of a lifetime with some of America's most preeminent intellectuals, policy analysts, and political experts—**Victor Davis Hanson, Bernard Lewis, Ed Gillespie, Dinesh D'Souza, Michelle Malkin, Stephen Moore, Rich Lowry, Ramesh Ponnuru, Jay Nordlinger,** and **John Derbyshire**—on the ***National Review* 2004 Post-Election Caribbean Cruise.**

BOOK YOUR LUXURY CABIN NOW—CALL THE CRUISE AUTHORITY AT 1-800-707-1634 OR VISIT US AT WWW.NATIONALREVIEWCRUISE-CARIB.COM

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The National Review 2004 Post-Election Cruise Application

Mail to: National Review Cruise, The Cruise Authority, 1307 Powers Ferry Rd., Marietta, GA 30067-5409 or Fax to 770-916-1425

Please fill out application completely and mail with deposit check or fax with credit-card information. One application per cabin. If you want more than one cabin, make copies of this application. For questions call The Cruise Authority at 800-707-1634.

Personal

Name #1 (full legal name) + Nickname _____ Shirt size (M/L/XL) _____

Name #2 (full legal name) + Nickname _____ Shirt size (M/L/XL) _____

Names #3 & #4 (if taking others in your cabin) _____

Street Mailing Address _____

( )

City _____ State _____ ZIP _____

Daytime Phone _____

Special Information (medical conditions, celebrating anniversary, etc.) _____

Payment

A deposit of $350 **per person** is due with this application. If paid by credit card, balance will be charged to *same* card on 8/13/04 unless otherwise directed. If application is received after 8/14/04, the full amount of cruise will be charged. Cabins and categories are available on a first come, first served basis. *Suites are limited!*

☐ My deposit of $350 **per person** is included.
(Make checks payable to "National Review Cruise")

☐ Charge to: AmEx ☐ Visa ☐ MasterCard ☐ Discover

☐☐☐☐☐☐☐☐☐☐☐☐☐☐☐☐

Expiration Date (Month) ☐☐ (Year) ☐☐

_____
Authorized Signature of Cardholder/Guest

Information and price quote on Cancellation Fee Waiver/Medical Insurance will accompany your statement. Cancellation Penalty Schedule follows (cancellations must be received in writing by the date indicated):

PRIOR *to June 14, 2004*	*$75 per person*	
June 14, 2004 to Augus 13, 2004	*$350 per person*	
AFTER *August 13, 2004*	*100% of cruise/package*	04/08/NR

Cruise

(All rates are per person, double occupancy, and include all port charges and taxes, all gratuities, meals, entertainment, and *National Review* activities. Cruise-only rates include all of above except airfare and transfers. Failure to appear for embarkation for any reason constitutes a cancellation subject to full penalties. Personal items not included.)

PLEASE CHECK ALL APPLICABLE BOXES!

I. CABIN CATEGORY *(see list and prices on previous page)*

First cabin category choice:_____ Second cabin category choice:_____

Bedding: Beds made up as ☐ Twin ☐ King/Queen

BOOKING SINGLE? ☐ Please try to match me with a roommate. (My age: ____)

II. AIR/TRANSFER PACKAGES

☐ We will provide our own roundtrip air and transfers to and from Ft. Lauderdale.
☐ Include air with our package from _____ (see list below).
☐ We need to purchase transfers from the airport to the ship at $24 per person.

III. GENERAL INFORMATION

CITIZENSHIP: Is everyone a U.S. citizen? ☐ Yes ☐ No
If No, indicate citizenship: _____
DINING: I wish to dine with _____

DINNER: ☐ 8:15PM ☐ 6:15PM (conflicts with dining with speakers/events)

IV. PRE- AND POST-CRUISE TOUR PACKAGES

☐ Please send me information on pre-/post-cruise packages in South Florida.

Important!

Everyone cruising will be required to bring either a valid passport OR a certified birth certificate (with raised seal!), plus photo ID. Failure to do so may result in being denied boarding of the *Zuiderdam*. Children do not require photo ID.

Responsibility: Notice is hereby given that the cruise advertised herein, including all tickets, vouchers and coupons issued and all arrangements for transportation or conveyance or for hotel or lodging or for sightseeing services are made by H20 Ltd. d/b/a The Cruise Authority (TCA) on behalf of *National Review*, as agency for Holland America Line (HAL), and/or service providers and/or suppliers providing services necessary for operation of the tour upon the express condition that TCA shall not be liable for injury, damage, loss, accident, delay or irregularity to any tour participant or his or her property that may result from any act or omission of any company, contractor or employee thereof providing services in connection with the tour, including but not limited to transportation, lodging, food and beverage, entertainment, sightseeing, luggage handling and tour guiding. Furthermore, TCA cannot be held responsible for delays or costs incurred resulting from weather and road connections, breakdowns, strikes, riots, acts of God, authority of law or other circumstances beyond its control. In the event that a participant be entitled to a refund of monies paid, TCA will not be liable in excess of amount paid. TCA reserves the right to decline any persons as a tour participant at any time. TCA is not responsible for price increases imposed by HAL and/or service providers. Such increases may be implemented prior to deposit received. TCA is not responsible for breach of contract or any intentional or careless actions or omissions on the part of HAL and/or service providers, such as suppliers of tours or other services used or obtained on or at the time of the cruise or shore excursions, which result in any loss, damage, delay or injury to you or your travel companions or group members. TCA does not guarantee any of such suppliers rates, booking or reservations and TCA shall not be responsible for any social or labor unrest, mechanical or construction difficulties, diseases, local laws, climate conditions, acts of war—declared or undeclared, acts of terrorism, abnormal conditions or developments or any other actions, omissions or conditions outside of TCA's control. TCA, nor *National Review* shall be responsible for the accessibility, appearance, actions or decisions of those individuals promoted for this cruise. By embarking upon his or her travel, the traveler voluntarily assumes all risks, and is advised to obtain appropriate insurance coverage against them. Retention of tickets, reservations, or package after issuance shall constitute a consent to the above and an agreement on your part to convey the contents hereof to your travel companions.

AIR TRAVEL: Holland America's "Fly Cruise" Program, which offers convenient round-trip, economy-class air transportation (First Class air is available on request; you cannot use frequent flyer points to upgrade these airfares to First Class)—and all baggage and transfers—from the following cities:

Akron/Canton, OH	379	Burlington, VT	409	Elmira, NY	396	Indianapolis, IN	420	Milwaukee, WI	389	Philadelphia, PA	390	Shreveport, LA	439
Albany, NY	409	Cedar Rapids, IA	470	Erie, PA	393	Islip/Long Island, NY	509	Minneapolis/St. Paul, MN	470	Phoenix, AZ	539	Sioux Falls, SD	376
Albuquerque, NM	519	Champaign, IL	459	Evansville, IN	456	Jackson, MS	489	Minot, ND	647	Pittsburgh, PA	389	South Bend, IN	499
Allentown, PA	410	Charleston, SC	366	Fargo, ND	590	Jacksonville, FL	359	Missoula, MT	697	Portland, ME	429	Spokane, WA	695
Amarillo,TX	473	Charleston, WV	410	Flint, MI	480	Joplin, MO	436	Mobile, AL	439	Portland, OR	540	Springfield, IL	480
Anchorage, AK	569	Charlotte, NC	385	Fresno, CA	596	Kansas City, MO	439	Moline, IL	460	Providence, RI	439	Springfield, MO	480
Asheville, NC	379	Chattanooga, TN	490	Ft. Wayne, IN	489	Knoxville, TN	429	Monroe, LA	366	Raleigh, NC	447	St. Louis, MO	440
Atlanta, GA	350	*Chicago, IL*	440	*Grand Forks, ND*	587	*Lacrosse, WI*	500	*Montgomery, AL*	406	*Rapid City, SD*	585	*Syracuse, NY*	406
Augusta, GA	420	Cincinnati, OH	429	Grand Junction, CO	685	Lansing, MI	529	Myrtle Beach, SC	370	Reno, NV	577	Tallahassee, FL	279
Austin, TX	466	Cleveland. OH	370	Grand Rapids, MI	429	Las Vegas, NV	569	Nashville, TN	419	Richmond, VA	409	Tampa, FL	218
Baltimore, MD	389	Colorado Springs, CO	586	Great Fall, MT	697	Lexington, KY	500	New Orleans, LA	370	Roanoke, VA	410	Toledo, OH	430
Bangor, ME	439	Columbia, SC	370	Green Bay, WI	530	Lincoln, NE	486	New York, NY (JFK)	397	Rochester, MN	490	Tri Cities, TN	439
Baton Rouge, LA	389	Columbus, OH	380	Greensboro, NC	396	Little Rock, AR	420	New York, NY(LGA)	388	Rochester, NY	409	Tucson, AZ	536
Billings, MT	695	Corpus Christi, TX	469	Greenville Spar., SC	366	Los Angeles, CA	539	Newark, NJ	368	Sacramento, CA	590	Tulsa, OK	469
Binghamton, NY	639	Dallas Ft. Worth, TX	448	Harlingen, TX	450	Louisville, KY	419	Norfolk, VA	389	Saginaw, MI	479	Wash. DC (Dulles)	389
Birmingham, AL	429	Davenport/Moline, IA	460	Harrisburg, PA	409	Lubbock, TX	466	Oakland, CA	636	Salt Lake City, UT	590	Wash. DC (Reagan)	400
Bismarck, ND	597	Dayton, OH	410	Hartford, CT	416	Lynchburg, VA	410	Oklahoma City, OK	469	San Antonio, TX	459	Waterloo, IA	550
Boise, ID	767	Denver, CO	540	Helena, MT	695	Madison, WI	530	Omaha, NE	436	San Diego, CA	539	Wichita, KS	469
Boston, MA	424	Des Moines, IA	490	Honolulu, HI	866	Manchester, NH	439	Ontario, CA	586	San Francisco, CA	540	Wilkes/Scranton, PA	410
Bozeman, MT	595	Detroit, MI	469	Houston, TX	377	McAllen, TX	386	Orange County, CA	586	San Jose, CA	590	Wilmington, NC	409
Bristol/Tri Cities, TN	439	Dulles (Wash. DC)	389	Huntington, WV	399	Medford, OR	747	Orlando, FL	198	Santa Barbara, CA	636		
Buffalo, NY	399	Duluth, MN	670	Huntsville, AL	339	Memphis, TN	436	Pensacola, FL	339	Savannah, GA	410		
Burbank, CA	666	El Paso, TX	466	Idaho Falls, ID	747	Midland/Odessa, TX	436	Peoria, IL	460	Seattle/Tacoma, WA	540		

IMPORTANT NOTES: 1. These air add-ons apply to the cruise or cruise + pre- or post-cruise package. All transfers for air/sea passengers are included. **2.** For some West Coast cities the cruise line cannot provide air service to Ft. Lauderdale in time to connect with the transfer to the *Zuiderdam* on Nov. 13. In this instance, you must fly to Ft. Lauderdale the night prior to the cruise. The cost for the overnight and transfers is $80 per person double occupancy and $130 per person single occupancy. **3.** Should you elect to provide your own air transportation, note that transfers from the airport to the *Zuiderdam* (Port Everglades) are not included, but are available for purchase $24pp roundtrip. Schedule your arrival in Ft. Lauderdale (FLL) leaving plenty of time for flight delays! Arrive no later than 1:00pm on Nov. 13th. Return flights from Ft. Lauderdale should not be arranged before 12:00 noon on Nov. 20th. **4.** Should you wish to deviate your air from the "standard" schedule, Holland America Line* charges $50pp for this service. All requests must be sent in writing to The Cruise Authority. Air deviation fees are non-refundable. **5.** Any special seat assignments or other requests must be made directly with the participating air carrier. You will receive your air schedule approximately 30 days prior to departure. **6.** Fees will apply to any changes to existing air reservations made within 65 days of travel or deletion/ cancellation of the Fly-Cruise Plan from your booking within this same time period.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

important respects, correct. Barnett's theory has a coherence and elegance that the Supreme Court's existing jurisprudence, with its essentially arbitrary designation of certain liberties but not others as "fundamental," lacks. Incoherence can, however, be preferable to some coherences. Can it really be the case that the duty to obey laws rests exclusively on the liberty-enhancing characteristics of the lawmaking process? Even in a tyrannical regime, there can be a general moral duty not to commit murder. Barnett does not say whether citizens in contemporary America have a duty to obey the laws. Since the courts do not follow his presumption of liberty, I am not sure how, on his theory, they can.

The book is weakest where it is most conventional. Barnett accepts the standard account of the judicial power to nullify unconstitutional laws. He never considers the idea that this power was originally held to concern only those state laws that infringed federal prerogatives and those federal laws that tried to grant powers *to federal judges* that the Constitution denied them. Robert Lowry Clinton proposed 15 years ago that this understanding best explains the treatment of the judiciary in the Founding-era documents, the reasoning and holding of *Marbury* v. *Madison*, and the citations of *Marbury* in the following century. So, for example, Madison, when discussing the Constitution's reference to "the judicial power" at the Convention, remarked that it "was generally supposed that the jurisdiction given was constructively limited to cases of a Judiciary nature." Much of the Bill of Rights, it should be remembered, consists of restrictions precisely on the courts. The quotes Barnett uses are compatible with this view rather than the more expansive one for which he takes them to be evidence.

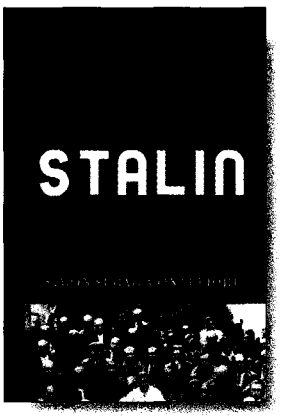
There was very little suggestion, during the ratification debates, that the chief value of written constitutional limits on legislative powers was that they would allow for judicial enforcement. Barnett implicitly assumes that if the courts cannot enforce constitutional provisions, those provisions become meaningless. But Madison seemed to think that the chief value of the Bill of Rights would be its effect on the political culture: It would be "good ground for an appeal to the sense of the community." The courts have never truly enforced the Second Amendment, yet that amendment really has protected the right to bear arms through its powerful effect on the political culture.

Barnett supplements the originalist argument for judicial enforcement of the Constitution with a pragmatic one: Without such enforcement, legislatures would be left judging their own powers. But that isn't true; there would still be a range of checks on their power, from elections to presidential vetoes. There is also, in any case, the danger of letting judges decide the limits of *their* power. Barnett notes that there are checks on the judges—for example, constitutional amendments. But he vastly overestimates their efficacy. So long as the Supreme Court usurps only those powers that 34 percent of the legislature is content to let it usurp, no amendment will ever pass. Further, Barnett would have us trust the courts because "no court today would find an action that violated the rights of others to be a 'liberty interest.'" Coming from a fan of the Supreme Court's recent abortion decisions, such as Barnett, that is an understandable assertion. The rest of us cannot be so sanguine.

Most contemporary theories of jurisprudence are open to the objection that they assume too great a judicial power to nullify laws. But there is a special problem for Barnett's theory. He repeatedly reads constitutional provisions in a way that yields a judicially enforceable meaning, on the theory that any other reading would make them pointless. His treatment of morals laws—arguing that allowing them would violate the original meaning of the Fourteenth Amendment because we would be left with no "judicially enforceable limit whatsoever on the police power of states"—is a case in point. But if the Fourteenth Amendment was meant primarily to give Congress a power to regulate the states—which is what even Barnett's evidence suggests—then there is no reason to read it for the convenience of judicial power. Barnett assumes that *every* provision of the Constitution must be enforced by the courts, and that to meet this condition a judicially enforceable meaning for each provision must be found.

Even today, most jurisprudes are not quite so committed to judicial power. There is little reason to think that the ratifiers of the Constitution and its amendments ever were. **NR**

Crimes of the Century



Stalin: The Court of the Red Tsar, by Simon Sebag Montefiore (Knopf, 816 pp., $30)

DAVID PRYCE-JONES

COMMUNISM, it is now generally acknowledged, was a human calamity of a kind and on a scale never previously known. As a matter of ideology, all means were justified in pursuit of Communist ends, and this granted a license for criminality devoid of moral restraints. What might have been an age of unmatched progress in the greater part of the globe was made instead to bear the mark of the beast.

This was the work of a very few men, and principal among them was Josef Stalin. Murderous autocrats are nothing new in history, but from the mid Twenties until his death in 1953, Stalin aimed for much more: the complete reordering of his own country, and the mobilization of the Communist movement against all who stood in his way internationally. Through a combination of unchecked power and personal strength of will, he was able to twist reality in pursuit of an inhuman and terrifying fantasy about mankind.

Historians have by now soberly taken the measure of Stalin's crimes, the show trials, the concentration camps of Gulag, the unprovoked aggressions against so many other nations, with genocide attempted several times—and all this

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

while millions of deluded people everywhere were proclaiming that mankind was crossing the doorstep into utopia.

British historian Simon Sebag Montefiore has set himself the task of unraveling the enigma of Stalin's character. With easy mastery, he has assembled a mass of material from published and unpublished sources, using archives newly available in Russia, and interviewing children and grandchildren of those who once came into Stalin's orbit. Vividly, with many telling anecdotes, he depicts Stalin and the myriad interactions of the courtiers and secret policemen who carried out his every order and whim. This stimulating and imaginative book illuminates how this small pock-marked man with a bad arm and a strange pigeon-toed gait and chronic tonsillitis was able to command the slavish obedience of his courtiers and so impose the nightmare of Communism.

In some respects Stalin was normal. In his way, he loved his first wife, who died young, and also his second wife, Nadya Alliluyeva, who killed herself. Occasionally he consoled himself with mistresses, including a faithful maid. The sad fates of his children perplexed and even distressed him. Highly intelligent, he was an autodidact who read up thoroughly on whatever he needed to know, from ancient Greek history to the Napoleonic wars and biographies of Persian shahs. The 20,000 books in his library are scrupulously annotated. At night he watched Russian films, or American westerns from a collection that had been looted from Goebbels. Spencer Tracy and Clark Gable were actors he specially admired. Music of all sorts mattered to him; he had perfect pitch, and would often invite his favorite tenor to sing the Duke's jolly aria from *Rigoletto*. He shot partridges and enjoyed boating trips from one of his several palaces on the Black Sea. Sebag Montefiore stresses that charm was one of the tools Stalin perfected in the course of acquiring his sinister hold over others.

Everything changed in the Kremlin, this book argues, with the fateful decision at the end of the Twenties to collectivize agriculture. Peasants and small-holders were bound to oppose such a policy, and the secret police duly liquidated them by the millions. One way or another, Stalin's colleagues all participated in this violent extension of civil war, and from then on they knew that they were accomplices in mass murder. Once they had compromised themselves, Molotov, Kaganovich, Mikoyan, Khrushchev, Beria, and all the other courtiers willingly sank deeper into crime. In the manner of gangsters, they tried to shift the blame, to build alibis, to denounce one another and save their own skins. Documenting this snake pit, Sebag Montefiore shows how "hatred, fear, and bloodlust" swept the country from the top downwards.

By rights, the courtiers should have saved themselves and everyone else by turning on Stalin and killing him. But as Communists, they believed that they belonged to what Stalin called "a sort of military-religious order" that demanded blind faith. Submission, or Partymindedness in the ideological jargon, was the sum total of the law. Besides, the secret police, torture, and death awaited anyone whose loyalty was in any way open to question.

His secret policemen brought daily reports of those they'd arrested, and he would write 'Ha-ha-ha!' in the margin, and then sign death warrants by the thousands.

The abnormal side of Stalin flourished in the hysterics of suspicion and betrayal that he himself had created, so that he seemed some sort of Dostoevskyan misfit, locked away in the Kremlin as though in a superior asylum, humiliating all the other inmates with enforced drinking, taunts, and menaces. Wreckers and saboteurs were constantly alleged to be holding the country in their grip, and all means were authorized to identify these phantoms as living people and wipe them out. For special cases, Stalin personally arranged fatal accidents or death by chloroform and poison. His gallows humor was particularly frightening. One commissar, he ordered, was "to be hung by the balls" and if they didn't break, then "throw him in the river." In front of the visiting Churchill, he threatened to hang a general. His secret policemen brought daily reports of those they'd arrested, and he would write "Ha-ha-ha!" in the margin, and then sign death warrants by the thousands. Zinoviev, victim of one of the great show trials, pleaded at the moment of his execution to be allowed to talk to Stalin, and then in dread began babbling prayers. Stalin laughed till he cried at the account of it.

A Polish Communist, Kostyrzewa, happened to live next to Stalin's dacha outside Moscow. One day she found Stalin looking over the fence, and he observed, "What beautiful roses." She was arrested that night. At a Kremlin party, Kira, the wife of Marshal Kulik, finding herself alone with Stalin by the piano, asked him to free her brother from Gulag. Kidnapped within hours, she was murdered, and her husband had to wait twelve years to learn what had happened to her. "Gratitude is a dog's disease," is one of Stalin's few truly self-revealing remarks. To the great filmmaker Sergei Eisenstein, he explained why Ivan the Terrible had been right to be so cruel. With "secrecy, caprice, and obscurity"—again in Sebag Montefiore's well-chosen words—Stalin masterminded everything, from the smallest details about the implication of a new play or an opera to the grand-scale conduct of the war against Hitler, the one and only man in the world whom he could respect as an equal.

With his disgusting coarseness and indifference to suffering, his paranoia and self-importance, Stalin sometimes seems close to madness. One night his sister-in-law heard ugly sounds coming from his room, and she went in to find him lying on a sofa drenching the wall with his spit. He was afraid of his own shadow, he complained to Marshal Zhukov, unable to trust even himself. A courageous marshal once said to him that many good and remarkable people had been lost in Gulag, and Stalin agreed. With a nod in the direction of psychology, Sebag Montefiore judges that Stalin was lonely and unhappy. So he was, yet a more profound truth emerges from this cautionary tale of our times: What made Stalin and his courtiers monsters was their common belief that good comes from doing evil. **NR**

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

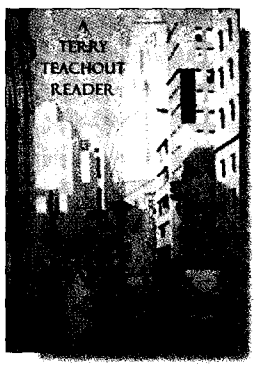
The Gold Standard

A Terry Teachout Reader
(Yale, 438 pp., $35)

AUSTIN W. BRAMWELL

Some critics hope to revive beauty, others high culture, but it is a curious thing that any hopes to revive both. Beauty is immediately accessible, and thus, from the perspective of high culture, heretical. Like the orthodoxies of high modernism—serialism in music, Bauhaus in architecture, abstraction in painting, free verse in poetry—high culture demands discipline, hard work, and self-denial. An ascetic as well as an aesthetic discipline, it inures the audience to the cheap grace of pleasant images.

Though the 20th-century priests of high culture—T. S. Eliot, Cleanth Brooks, Dwight Macdonald—preached modernism, they believed an ancient religion. Like Plato, they feared that their flock might confuse mere representations with the *real thing*. Like Plato, they were forthrightly elitist, which explains the otherwise puzzling affinity of the would-be Trotskyite vanguard of *Partisan Review* contributors for the reactionary bootstrap-aristocrat T. S. Eliot. Unlike Plato, however, they unwittingly succeeded—at least if one judges by the near-total irrelevance today of new poetry, painting, and music—in banning the poets from the city.



A small-town American by birth and jazz bassist by training, Terry Teachout lives by a different creed. He has applied his formidable critical acumen not only to string quartets, ballets, and novels, but also to movies, TV shows, cartoons, and musicals. Unlike more radical critics, however, whose limicolous pop-culture wallowing subverts all sense of propriety, he tirelessly upholds the existence of standards. But, unlike many traditionalists in the aesthetic culture wars, he refuses to see *high* and *low* as synonyms of *good* and *bad*.

In contrast to Teachout's respectful yet ironical detachment from middle-class life, the 20th-century priests of high culture evinced in their very anti-bourgeois stance a too-bourgeois sincerity. Is there not in high culture, after all, a hint of the middle class's own worldly asceticism, Protestant iconoclasm, and rejection of aristocratic luxury? Expecting the artist to do all the work smacks of feudal indolence; capitalism demands that the audience do just as much work, if not more.

Mr. Bramwell is a law clerk in Denver.

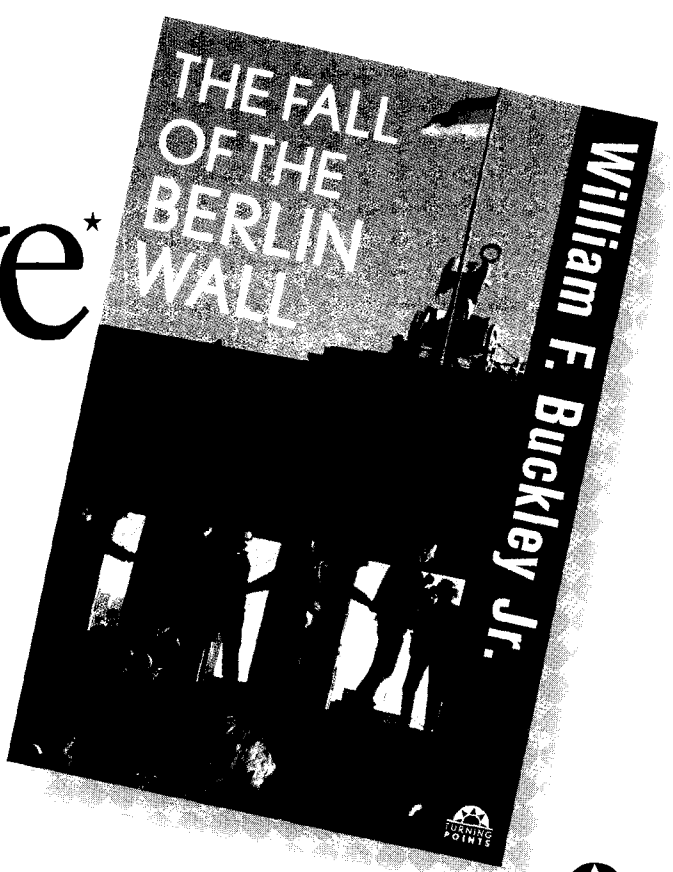
"A great narrative*

*. . . of democratic survival and democratic victory."
—*Washington Times*

"Eloquent . . . immensely readable . . . the saga of the victory of capitalism over the brutal and irrational fraud that was state socialism."
—*Baltimore Sun*

"A small masterpiece of the narrative tradition . . . *The Fall of the Berlin Wall* embraces all the virtues that keep readers turning the page."
—*National Review*

"As stories go, few can match the intrigue and tragedy of the Berlin Wall. . . . Poignant narrative."
—*The Wall Street Journal*



WILEY
Now you know.
wiley.com

TURNING POINTS

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

To be sure, there is real beauty, or at least real sublimity, in the best of modern art. But the beauty of, say, the Seagram building differs from that of Giotto's bell tower; that of *The Waste Land* from that of *The Divine Comedy*; that of a Mondrian from that of a Raphael. The later works have an almost purely noetic beauty that cannot long sustain the soul. When poetry, for example, becomes nothing but a pastiche of allusive figures and erudite cryptograms, you can be sure that as an art form it is finished. If the great modernists still loom over us like Titans, it is only because they actually succeeded in convincing us, in Eliot's words, that "this [i.e., modernism] is the way the world ends." Ye shall know them by their fruits: While a second-rate Palladian villa, Petrarchan sonnet, or piano sonata can still please, the knock-offs of great modernist works remain dreadful beyond description.

Likewise, there really is something execrable in lowbrow kitsch and sentimentality. But modernism did not merely fail to abolish these things; by abandoning the production of beauty to the mass media, it made them ubiquitous. Some critics have redoubled their efforts to put the Humpty Dumpty of high culture back together again; Teachout, by contrast, sees in pop culture its own corrective. Our best artists, he observes, were such All-Americans as Charles Ives, Louis Armstrong, Aaron Copland, Willa Cather, Chuck Jones, and Tom Wolfe—all of whom "ennobled popular culture even as they popularized serious culture." The priests of high culture, by contrast, were as anti-American as they strove to be anti-bourgeois. Each European import they championed displaced, with disastrous results, a vibrant indigenous tradition. Thus Bauhaus did away with prairie style, logical positivism with pragmatism, and atonalism with real jazz music. Americans even used to build the world's greatest pipe organs before European emigrés showed them the superiority of strident German models.

This unique critical approach makes Teachout's new anthology, *A Terry Teachout Reader*, more than a useful compendium: It is a rewarding venture in its own right. Many of the essays will be familiar to readers of *The New Criterion*, *Commentary*, or the *New York Times*, but now they can see how Teachout has over time revisited, applied, interpreted, and elaborated the major themes of his criticism. No mere parade of arresting but unrelated insights, the *Reader* offers a sustained and careful analysis of contemporary culture.

For example, Teachout attributes the decline of standards not to the overthrow of the demanding high-culture elite, but to the collapse of the less-than-demanding "middlebrow" majority. This is surely correct: Though standards perdure, whether a work is considered "demanding" changes with taste. What was once low culture, such as jazz, is now high; what was once high, such as impressionism, is now low. It was the middlebrow, throughout—"that earnest fellow" who "watched prime-time documentaries and read the Book of the Month"—who kept standards alive by sharing with others his aspiration toward self-improvement.

Middlebrow culture disintegrated, in Teachout's telling, in the solvent of alternative media. Cable TV, VCRs, and the Internet, though they allowed an astonishing freedom of cultural choice, made impossible the notion of common standards. Some critics see this as cultural flourishing; Teachout rightly sees it as decadence. As anyone who has succumbed to an hour's worth of channel-surfing can tell you, the lotus flower of cultural diversity, by gratifying every taste and whim, makes us forget distinctions of good from bad. Or, as a middlebrow might put it, quantity is not quality.

Teachout's sensitivity to the strengths of American culture sometimes flirts with reflexive pro-Americanism. For example, he contends that Osama bin Laden disabused us of the notion that standards of beauty do not exist; in the terrorist's view, as Teachout characterizes it, "earthly beauty is a mere illusion, a distraction from the One True Cause." But isn't it more likely that bin Laden's aesthetic theory is somewhat simpler—that he saw the ugliness of popular culture in liberal democracies and found it abhorrent? Meanwhile, the false friends of freedom will continue to view the decline of all standards as healthy and liberating.

Some might object that Teachout is too forthright in linking politics and art. But this is too fastidious: If we must divorce art from politics, to say nothing of morals or religion, we must also rule out as propaganda such works as the Parthenon, or Shakespeare's histories, or the novels of Dostoevsky. Even Social Realism had more merit (in some cases, more than its modernist alternatives) than its detractors—ironically, too eager to score a political point than to worry about aesthetics—have allowed. Once critics expunged from art the creator's message, his intent, and his effect on his audience, they left it with nothing but moribund abstraction—the *reductio ad absurdum* of high modernism. Teachout willingly puts these things back in, and thus helps bring art—American art—back to life. **NR**

FATIMA

Great crowds of pilgrims under a fierce sun,
More like a furnace than a holy place
Without an inch of shade or blade of grass—
A desert of paved stone, concrete and glass
Crowned with cathedral and basilica
Which was but a poor pasture where sheep grazed
Before the miracle of Fatima.

Penitents straining forward on their knees
Come to atone their lives through suffering;
All longing for the supernatural
Event as struck astonished thousands once—
That even hard eyed cynics screamed and wept
And knelt as at another Ararat
When the sun fell and flooded earth dried up.

—RICHARD O'CONNELL

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Free the Media

Free Culture: How Big Media Uses Technology and the Law to Lock Down Culture and Control Creativity, by Lawrence Lessig (Penguin, 368 pp., $24.95)

JAMES V. DELONG

THE motion-picture and video industries employ over a quarter-million people and collect $55 billion in annual revenue. Book sales last year were $27 billion, based on 150,000 new titles and editions (up from 100,000 in 1992) and over 4 million books already in print. Also in 2003, the sound-recording industry shipped 798 million units with a value of $11.9 billion—down from the 1999 high of 1.16 billion units worth almost $14.6 billion, but still a big number, and one that does not include downloads for Apple's iPod or other legitimate services. One can drown in the oceans of data proving the vitality of America's creative spirit: Tens of thousands of people are working to carve a niche in the world of arts and entertainment, and millions of others are paying them for doing so. But in the new book *Free Culture*, Lawrence Lessig tries to say it's an illusion. Lessig, however, likes stories rather than data, so such numbers would have little place in his book anyway.

The book itself is thin gruel, alternating between horror stories and polemical abstraction. It is more diluted than *Code*, the 1999 book that made Lessig a star in cyberland, and the 2001 follow-up *The Future of Ideas*. One suspects the familiar phenomenon that once a brand is established, the faithful will praise and buy, so quality becomes unnecessary. And this is a work for the faithful: It seems designed to promote Lessig's status as the gonfalonier of the Free Culture Movement, a loose alliance of academics and cyberites who have serious problems with current copyright laws. Their program—so far as one can determine, because its spokesmen, including Lessig, are elusive—is to shorten copyright terms, drastically circumscribe copyright protections against derivative works, widen concepts of "fair use" (and outlaw any method of digital encryption that would interfere with the expanded definition), and wipe out inhibitions on file sharing over the Internet (including lawsuits by offended copyright holders).

The ultimate goal of the Movement seems to be to cut the links between creative work and the market system. (Lessig declares himself a disciple of Richard Stallman, the founder of the Free Software Foundation and a man who believes that the use of any proprietary software is immoral.) As to details, such as how the stuff will be produced if it is not protected and paid for, the Movement is coy. Their usual stance is that creative product should be free as in "free of the need to obtain permission before using it, modifying it, or redistributing it," not free in the sense of "free beer." Of course, they say, creators should be paid. This position is nonsense: If a creator has no power to stop redistribution, he has no power to collect payment. But taking this incoherent stance allows the Free Culture Movement to feign outrage at any suggestion that its advocates are against property rights.

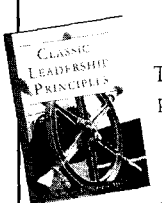
Lessig's answer to the problem of financial support is to spend a page and a half on an idea floating around academia that the government should fund music by socializing it. "An appropriate tax" would be levied, and the pot divvied up according to the number of downloads of each item. This is a strange idea, full of practical problems; it would be even more difficult to apply to movies, software, games, or books, which will present the same Napsterization problems as music once true broadband becomes available to consumers and download times decrease.

Nor are the horror stories Lessig uses to prove the degeneracy of the copyright system particularly impressive. The Free Culture Movement has a long memory, and it has not yet forgiven the London booksellers for monopolizing the printed word back in the 17th century. Similarly emphasized are Thomas Edison's efforts to enforce his patents on the movie camera, the resistance of sheet-music publishers to the player piano, and the suppression for decades of FM radio (which Lessig attributes to RCA, with barely a mention of the FCC and the heavy hand of government). The Movement is forced to rely on past issues—and its interpretation even of many of them is not exactly nuanced—because its contemporary horror stories are so unimpressive. For the most part, they represent genuine problems, but of a minor kind: issues that should and can be addressed by the legal process through measures considerably short of uprooting the whole copyright system.

Lessig makes much of a documentarist who deleted a scene in which 4.5 seconds of a *Simpsons* episode played in the background, because Fox refused permission for less than a princely sum.

Mr. DeLong is director of the Center for the Study of Digital Property at the Progress & Freedom Foundation, Washington, D.C.

Classic Leadership Principles
by Whitson G. Waldo



This book examines principles of leadership that have endured through the ages and that are still used successfully today. This book will make anyone a stronger and more effective leader.

Available from bookstores nationwide and internet retailers.
© 2004 • 260 pages • Hardcover • $34.95
ISBN 1-59299-045-2 • www.inkwaterpress.com

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Lessig acknowledges that every lawyer agrees that the filmmaker had a right to use the material under existing "fair use" doctrine, but, says our author, lawyers are too expensive, so it was snipped. This is not a convincing example: That use of the clip is fair use, no question, and any judge should agree. Lawyers do cost too much, so there is a problem when rights are uncertain, as is always true during times of technological change; but sorting out fair-use doctrine is a project for a few years of common-law thinking, not an excuse for blowing up the system. Further, if we had adopted the English rule of "loser pays," the documentary maker *could* have afforded to litigate—so why not focus on that problem, rather than on the copyright system, which would actually have reached the right answer had anyone asked it to do so?

Nor do the horror stories show serious inhibitions on creativity. The impingements are on re-mixers who want to mix the Beatles with a rapper, or on the professor who wants to use film clips in a class. There is simply no indication of major losses to the creative enterprise writ large, nor any consideration given the proposition that strengthening property rights and markets and reducing transaction costs might do far more for the creative community than would wiping out its ability to make a living from its art. One gets no sense in *Free Culture* of the fact that the copyright system is a mechanism by which consumers get together and agree on rules that will enable them to pool their resources and persuade creators to produce. Obviously, I would like to get the stuff for free while others pay; you would like a similar system. Things cannot work that way, so consenting adults get together and agree that *all* will pay.

Which brings up the final point about the Free Culture Movement: There is something childish about it. Its major interest—albeit swathed in a 1960s-era mythology of "all creative power to the people"—seems to be in getting stuff for free, as opposed to finding practical ways to nurture creativity. Read this book, and you'll realize why adult supervision is necessary. **NR**

■ SHELF LIFE ■

A Spring Selection

MICHAEL POTEMRA

"THE Bushes consider self-focus and self-analysis to be dangerously close to self-centeredness," write the authors of an entertaining new collective biography of the current First Family. In *The Bushes: Portrait of a Dynasty* (Doubleday, 574 pp., $27.95), Peter and Rochelle Schweizer try to tell the story the clan itself is forbidden by modesty to recount. The book is full of charming anecdotes:

> [Prescott Bush's love of music] led to a nocturnal life he tried to keep secret from his family. Pres would slip out at night and trek up to the Cotton Club . . . The family learned about it only by chance when Dottie was driving the kids around in the car one night. Pres Jr. was fiddling with the radio and Poppy and Nancy were in the backseat. Suddenly a voice on the radio declared, "Live from the Cotton Club on 125th Street in Harlem, New York, the Ink Spots!"
>
> After the quartet sang their first melody, a loud and enthusiastic "Attaway boys!" could be heard amidst the applause.
>
> "That sounds like dad," said Pressy. . . .
>
> The next evening at the dinner table, Pressy said, "Dad, we were driving home and we heard the Ink Spots were at the Cotton Club. We heard someone say, 'Attaway boys, way to go boys.' And it sounded like you. Was it?"
>
> Pres turned scarlet but never answered the question.

The "Pres" of this story would later become one of the first Republican senators to denounce Joseph McCarthy; the "Poppy" in the backseat would become the 41st president of the United States and father of the 43rd.

As a young man at Harvard Business School, George W. Bush "made a point of being different," write the Schweizers. One of the women he dated at the time describes how W. stood out: "While they were drinking Chivas Regal, he was drinking Wild Turkey. They were smoking Benson & Hedges and he's dipping Copenhagen [chewing tobacco], and while they were going to the opera he was listening to Johnny Rodriguez over and over and over and over." The WASP rebel as Ivy League redneck: It's a classic American tale, one of the many told ably in this delightful book.

■ *Critics of the Enlightenment: Readings in the French Counter-Revolutionary Tradition* (ISI, 367 pp., $18) is a valuable sourcebook for the thought of an often-neglected strand of conservatism. In his introduction, the book's editor and translator, Christopher Olaf Blum, writes that the 19th-century French conservatives "sought to vindicate the principles of the Old Regime not for their own sake, as if it were an antiquarian matter, but because they were convinced that these same principles could, if followed, again give birth to the kind of noble and truly human civilization that Europe had been at its best." While neo-monarchists and other nostalgists will find much to savor in this anthology, the writings also have much to teach those who favor a liberal, dynamic, and pluralistic society. Louis de Bonald, for example, warns that "religious controversies are an evil, but religious indifference is a still greater one. The hard and fierce fanaticism of the Wars of Religion caused infinite evils to France over two centuries . . . [yet] the most attractive moral lassitude and disdain or forgetfulness of religion in a society whose only care is pleasure . . . have brought us in less than fifty years to the most complete delirium, the most bloody revolution, the total upheaval of society, and the general disorganization of Europe."

Chateaubriand tells us that "liberty must not be accused of the faults committed in her name," but liberty can't survive unless the faults Bonald pointed to are addressed by the citizenry, in all its small Burkean platoons. Writing in 1864 about

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

social problems—including illegitimacy—Frédéric Le Play recognized that while under the Old Regime government action could be important in fostering moral change, "it is not the same with the moderns, for whom progress is more and more a question of the initiative of the citizens."

The less polite side of the French counter-revolutionary tradition is also represented in this volume. In an essay from 1798, Joseph de Maistre accuses Protestantism of being, in its essence, a socially corrosive force: "By establishing independence of judgment, free discussion of principles, and contempt for tradition, it undermines all national dogmas . . . Mohammedism, even paganism, have done less political evil when they substituted their kind of dogmas and faith for Christianity, for they are religions. But Protestantism is not one at all." Not quite the sort of thing one would hand out at a suburban meeting of Evangelicals and Catholics Together; editor Blum observes, with dry understatement, that Maistre "was at times an intemperate writer." But the presentation of the anti-Enlightenment tradition in such a broadly inclusive manner bolsters the contribution made by this lively book. The reader will finish it with a sense of an intellectual tradition in its fullness.

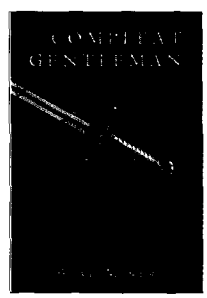
■ The *Da Vinci Code* phenomenon continues to amaze. Its central allegations percolated for years in the pages of quack-history books, attracting little attention. Along came author Dan Brown, who slapped the label "fiction" on them and—presto!—millions of readers started asking, "Wow, is this true?" The short answer is, of course not. In her excellent new book *De-coding Da Vinci: The Facts Behind the Fiction of* The Da Vinci Code (Our Sunday Visitor, 124 pp., $9.95), Amy Welborn gives a sprightly, detailed, and highly satisfying account of the truth behind the pseudo-history.

Welborn is a renowned Catholic blogger with a knack for explaining complex issues clearly. The reader of this book will come away with a lucid account of Christian origins, and a strong sense that, even after 2,000 years, the New Testament remains the most accurate and reliable source for the thought and work of Christianity's founder. Other, later writings from heretical sects—and fanciful conspiracy theories about how they were "suppressed"—make for the stuff of entertaining thrillers; but if you want "the Real Story," writes Welborn, it's "as close as a book on your shelf. . . . Pick up that Bible."

■ In his new anthology *From Babel to Dragomans: Interpreting the Middle East* (Oxford, 438 pp., $28), Bernard Lewis collects 51 of his historical essays from the past half-century. Lewis has long been considered the West's leading interpreter of Mideast culture and history, and this collection only solidifies his reputation. His writing is erudite but not dry; he venerates the facts of history while remaining fully alive to their echoes and implications in the present. For example, he writes that the tactics of the medieval sect of Assassins—"probably the earliest example of what one can legitimately call state terrorism"—were not, as many in the West believed and continue to believe, directed chiefly against the Crusaders; their targets, rather, were fellow Muslims, and their goal was supremacy within Islam itself. Lewis then asks: "Are we as mistaken as the Crusaders were in thinking that the main objective of Islamic terrorism is Israel? . . . The answer may well be the same as in the Middle Ages. The literature of the fundamentalists shows that they are much more preoccupied with their Islamic enemies, with the Islamic governments that they denounce as not truly Islamic, as tyrants and usurpers." There is deep wisdom here for would-be appeasers: Even the outright destruction of the State of Israel would not solve the problem of Islamist terrorism, because Israel's existence is not the cause of that terrorism in the first place. Lewis also notes the Assassins' "total and final failure": a cheering parallel.

■ In *Battling Corruption in America's Public Schools* (Northeastern, 257 pp., $32.50), City University of New York law professor Lydia G. Segal writes that some major American urban school systems suffer greatly from fraud and abuse. But "school inspector general reports in [America's three largest school districts] show a relatively low incidence of theft, embezzlement, [and other corruption] among principals and assistant principals"; so one of the most important things we can do to stop the financial bleeding is to "give principals a significant degree of budgetary autonomy and broad freedom from central mandates."

■ That religious elementary and secondary schools do a better job than the public schools on a range of objective criteria is by now very well known. In *Between Memory and Vision: The Case for Faith-Based Schooling* (Eerdmans, 181 pp., $22), Calvin College education professor Steven C. Vryhof outlines some of the reasons the religious approach has succeeded so well in a pluralistic society. Academic excellence is required, he writes, but it is not an end in itself; the religious school has "a more expansive view of the purposes of schooling," a higher calling to cultivate in students a sense of "meaning and purpose" grounded in the traditional vision of their faith. The goal of faith-based education, at its best, is to foster a young generation of "rooted cosmopolitans": children who build a social openness on the bedrock of unchanging values.



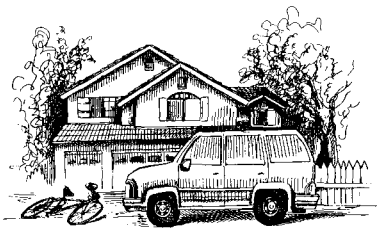
■ In *The Compleat Gentleman: The Modern Man's Guide to Chivalry* (Spence, 256 pp., $27.95), former NR literary editor Brad Miner examines a code of conduct that still imparts vital lessons in the face of all social change. Miner does not romanticize gentlemanliness, but views it as—in its proper form—"a brotherhood of virtue." The gentleman is a "man of the world," though not "'worldly' in any base sense"; a secular Trappist who lives honorably, and with the combination of nonchalance and self-control the Italians call *sprezzatura*.

■ John Donne is acknowledged as one of the best religious poets in the English language. His theological vision is well represented in *One Equall Light: An Anthology of the Writings of John Donne* (Eerdmans, 352 pp., $28), edited by John Moses. This compilation—most of it drawn from Donne's sermons and other prose works—is arranged according to topic, and makes for very uplifting browsing. "Be not apt to think heaven is an *Ermitage*, or a *Monastery*, or the way to heaven a sullen *melancholy*; Heaven, and the way to it, is a *Communion of Saints*, in a holy cheerfulnesse." **NR**

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

■ THE STRAGGLER ■

Book Report



JOHN DERBYSHIRE

I NOTE from my work logs that in 2003 I published 17 book reviews; a total of over 30,000 words (there are a couple of long literary divagations in there), with gross remuneration—I mean, not augmented for the value of the free books—of $5,860. That is an average fee of 20 cents a word, though spread across a range from 11 to 42 cents a word, depending on the periodical commissioning the review. It is, as Cockneys say, not a bad little earner.

As a book reviewer, however, I am not my own best friend. I take the whole business much too seriously, actually reading a book all the way through—this is by no means a universal practice in book-reviewing circles—and then, if the subject matter has some moment, or catches my interest in some way, or if I believe myself inadequately informed about it, reading a couple more books for background before forming my thoughts. This reduces my hourly remuneration to something below that paid to illegal-immigrant fruit-pickers. I console myself with the thought that I am wiser, or at least more knowledgable, for the effort, and that knowledge has no price.

Currently, for example, I am reviewing Volume Two of Roy Foster's biography of W. B. Yeats for another magazine. Since I had not read Volume One at the time of accepting the commission, I thought I had better, so I did. That raised my total page-count commitment to over 1,400. I then realized I didn't know the poems half as well as I had thought I did, so there was another 435 pages—which should really count as 870, since a page of poetry requires twice as much attention as a page of prose. I have also done some heavy browsing in Douglas Archibald's *Yeats*, Donald Torchiana's *W. B. Yeats and Georgian Ireland*, and William O'Donnell's breezy but excellent *The Poetry of William Butler Yeats*. Oh, and I am trying to set up an interview with Maureen Murphy of Hofstra, the only academic-class Yeats expert within easy geographical range. Fruit-picker? My hourly rate for this review is probably going to be down below that of the crossing-sweeper in *Bleak House*, not adjusted for inflation.

Why on earth do I bother? Mostly it is just vanity and greed, the normal human motivations for doing anything. I am aware of secondary forces, though, both lower and higher in moral standing.

Chief among the lower is the vituperative urge. Every book reviewer's dream is to get a thoroughly bad book for review, a real stinker, and to comprehensively trash it, and get the review published. This very high level of spiritual fulfilment is not often vouchsafed to humble drudges like the Straggler. Most periodicals will not publish negative reviews by anyone not an accredited academic or a literary celebrity.

It occasionally happens, though. NATIONAL REVIEW, bless their hearts, once let me loose on one of Tim Pat Coogan's books. Coogan writes about recent Irish history. He is much read by the fiercer kind of Irish American, but is a bit of a joke in Ireland herself. A friend over there alerted me to the book, I suggested it to our literary editor, he gave me the nod, and I let Coogan have it with both barrels. My review is still passed around at NORAID meetings as a specimen of the vile calumnies heaped on the long-suffering children of Erin by the contemptible hirelings of British imperialism, and I got a gratifying amount of hate mail in response to it. One letter-writer took particular exception to my noting Coogan's persistent belief—it has appeared in at least two of his books—that Ireland contains a place named "Loughall." Ireland does *so* have such a place, sputtered my indignant correspondent from his Massachusetts address, as I could easily verify for myself by a quick Google search on the name. After a minute or two at the keyboard I was able to reply that, by this test, the U.S.A. contains places named "Washnigton," "Batlimore," and "Los Agneles." (A cautionary tale for those who depend on the Internet for their information.)

Of higher motivations, I think the hope of discovery is foremost, though again, opportunities are hard to come by. Once your name has been spotted on a book review, people interested in getting a notice for their book, or for a book by a loved one—mothers are a major force here—send in their pleas, and of course their books. This is generally a waste of time for all concerned. It is not that the books in question are uniformly no good. Most of them *are* no good, but then so are most of the books that get full-page attention from Professor Deepbrow in the Sunday *New York Times*. Publishing is a gross lottery: Much gold sinks, much dung floats. No; it is generally a waste of time because, at the Straggler level, a reviewer has very little say about the books for which he can depend on getting a paid review into print. He may propose, but literary editors dispose.

However, these barriers sometimes fall. An over-the-transom book, picked up in an idle moment, seizes the reviewer's attention. A literary editor is amenable, and has a space to fill. One then has the satisfaction of having brought some small measure of recognition to a worthy book that would otherwise have been without. I was recently able to pull this off for Stephen Bodio's *Eagle Dreams*, which I described in my review as a travel book just because it reminded me so much of the great 20th-century travelers—Robert Byron, Eric Newby, Evelyn Waugh—but which really defies categorization.

Publishing is a cruel lottery: Much gold sinks, much dung floats.

Perhaps this satisfaction, too, is a species of vanity. I feel sure it is; but the knowledge that one has added a pebble, however tiny, to the great cairn of literature banishes all negative reflections, and lifts reviewing up from the ignominy of drudge work for dwindling "Books" sections at the backs of newspapers into the sunlit uplands of true literary fellowship. Then it's all worth it, even at a fruit-picker's wage. **NR**

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

classified advertisements

BUSINESS OPPORTUNITIES

$400 WEEKLY ASSEMBLING PRODUCTS. For free information, send SASE: Home assembly—NR Box 216, New Britain, CT 06050-0216

FOR SALE

1911 CENTURY DICTIONARY & CYCLOPEDIA

12 Volumes—10,000 Pages
500,000+ Definitions, Huge Atlas
Greatest Ever American Dictionary on
2 CD Roms—$49.99
PrincetonImaging.com/cdrom/century

UNRAVEL A MYSTERY! Armchair Detectives call for a free catalogue of vintage to '70s mystery books. E-mail Cloak & Dagger: siralewker@aol.com or phone 845-371-6739.

100% AMERICAN-GROWN KONA COFFEE $18/LB. $4/LB Shipping. Specify Dark/Medium, Wholebean/Ground. Visa/MC/AmEx. Richard's Fruitstand, 808-966-4035, P.O. Box 2895, Kailua, Kona, HI 96745

NEW ENGLAND STEEL BUILDINGS

Quality Pre-Engineered Steel Buildings
1-877-STEEL-NOW
Industrial-Commercial-Agricultural-Aviation
FACTORY DIRECT!
Anywhere in the United States.
Visit: www.newenglandsteelbuildings.com

LITERARY

BECOME A PUBLISHED AUTHOR. QUALITY SUBSIDY PUBLISHER ACCEPTING MANUSCRIPTS. 1-800-695-9559.

LITERARY SERVICES

Every life has a story. Preserve yours as legacy for children and grandchildren. Historian/Author creates outstanding memoirs and books of family history. James Simmons, 858-792-6860, San Diego; www.yourbiography.com

OPPORTUNITIES

YOUR LIFE IS IN MY HANDS—AND THEY'RE TIED! www.healthanswers.info 972-661-9689

HOTELS

SAVE on hotels and resorts.
www.BidonTravel.com

"Rated One of New York City 'Best Value' Hotels." ... *Zagats*

New York's all suite hotel is located in the heart of the city, near corporations, theatre & great restaurants. Affordable elegance with all the amenities of home.

MURRAY HILL EAST SUITES
149 E. 39th St. (Bet 3rd & Lex) New York, NY 10016
Reservations 1-800-248-9999
Ask about our special National Review rates.

MY STORY

Software to write your autobiography and biographies for others. $39.95 plus $6.95 for S/H. To order call 1-800-446-8683.

POLITICAL

Congress Voting Tracker
FREE database to view, print, analyze Congress voting records!
www.congressvoting.com

PROFESSIONAL SERVICES

COLLECTIONS
Professional • Courteous • Thorough
- Accounts and NSF Checks
- Pay only for Results
- Small Contingency Fee

No-Charge Fee Quotes
Revenue Security Services
Toll Free: 1-800-276-0696
Toll Free Fax: 1-866-808-6124
E-mail: marketing@revenuesecurity.net
Member of the American Collectors Association

VACATION RENTALS

Squam Lake, New Hampshire. Two waterfront homes. One sleeps 12 and another sleeps 8. No pets. References. $2,200 per week. Call 860-567-5377.

WEBSITES

WEIRDREPUBLIC.COM—Defending traditional wedlock. Best-ever arguments against gay marriage.

CLASSIFIED INFORMATION

Rates: $4.50 per word (10-word min). Phone number, zip code, all permitted abbreviations (P.O.Box, S.A.S.E., etc.) count as one word.
To Order: Call Kevin Longstreet, 212-679-7330.

THE OFFICIAL NR WINDSHIRT

Comfortable.
Classy.
Waterproof.
Microfiber.
Nylon-lined.
Sizes L–XL.
Khaki on Navy Blue.
Only $49.95.

Each windshirt $49.95. Add $3 per order for shipping and handling charges.

Name _____
Address _____
City _____
State _____ Zip _____
Number of shirts: _____
Shirt sizes: _____

PAYMENT METHOD

❑ Check enclosed (make payable to "National Review")
Bill to: ❑ MasterCard ❑ Visa
Acct. No. _____
Expir. Date _____
Signature _____
* Total payment $ _____

Mail to: National Review, 215 Lexington Avenue, New York, NY 10016

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

on the right

WILLIAM F. BUCKLEY JR.

Mighty Mindedness

NEW YORK, MARCH 26

I CALLED on the legendary John Kenneth Galbraith, probably the most influential U.S. intellectual of the 20th century, and although old and housebound, he has a new book, *The Economics of Innocent Fraud*. The publishers are dizzy with delight over the brief (62-page) manuscript, in which the author, in his singular way, using an ironic trenchancy that shatters glass with its explosive acuity, makes his briefs. He focuses now on the modern corporation, its immunity from social control, and the apparently uncontrollable impulse to focus national skills on making bigger and better armaments. But all of this is for book-reviewing time, at which it will be appropriate to observe that the military emphasis for thirty years has been on developing discriminating, not undiscriminating, weaponry.

But one immediate concern is Mr. Galbraith's conviction that a true conservatism would take a stand against everything that is identified with George W. Bush's policies. These are, he says, thoughtless, dogmatic, and unqualified for benediction by any respectable conservative. Which is where I come in, as it happens: Mr. Galbraith invites me to denounce Bush and his policies "in the name of conservatism."

"What is it about Bush's policies that makes them unworthy of conservative benediction?"

"Their ignorance."

"What is Bush ignorant of?"

"Ricardo, for instance."

"What of Ricardo, specifically?"

"Ricardo's learning and perspective and his hold on comprehensive doctrines."

"How do you account for this, that Bush has supporters whom you would deem to be educated, even if they are not Ricardo-ites?"

He goes there into categorical thinking which is circular: Bush doctrines are bankrupt of ideas and therefore ideas can't be ascribed to Bush doctrines.

But how does he account for the plain fact that there are people who back Bush who are both learned and by no means merely sycophantic?

Mr. Galbraith delivers his crushing point. "There is not one member of the faculty of Harvard University who is pro Bush."

This invited copious rejoinders. Mr. Galbraith was talking to the humble figure who wrote years ago that he would rather be governed by the first 2,000 names in the Boston telephone directory than by the 2,000 members of the Harvard faculty. But all successful aphorisms are en route to becoming clichés, so I observed that Mr. Galbraith was implying a disjunction in thought which was itself more interesting than the coincidence—or is it a coincidence?—that you can't back Bush and serve on the Harvard faculty. Just to begin with, of course, it isn't true. Martin Feldstein is a tenured professor in good standing. But it is so nearly true—that elite faculty are liberals—as to raise corollary questions. How do faculty of intellectual-elitist communities converse, e.g., with the 50 million people who voted for Bush for president? The mention of Bush means nowadays one thing: the Bush who went into Iraq. Differences with Democrats over the environment, the economy, abortion, are tolerable; not so his commitment in Iraq. No one grounded in the thought of seminal figures—Ricardo, for instance—can endorse Iraq, we are being told.

But that simply isn't so. What is so is that the proprietors of the U.S. intellectual reservation are laboring, and with great success, to classify our initiative in the Middle East as a) thoughtless, b) irresponsible, c) doomed to failure, and d) absolutely requiring political repudiation at the next election. Inevitably the mischievous question arises: Is it the nation's Republican voters who need a haircut, or the enclave of intellectuals who want to do the thinking for the entire nation?

"Bush is unique. Even Reagan had some sympathy here at Harvard."

"Oh? Who?"

"They weren't exactly backers, but they understood him as a, well, pleasant man."

"Not so Bush?"

"No, never."

The temptation is to devise for oneself the final, crushing retort. The French call that: *l'esprit de l'escalier*. What occurs to you, on reaching the bottom of the staircase, that you might have said to overwhelm your mistress with. Well, I went down the staircase, into a train, three hours to get home, and still haven't come up with any way to silence John Kenneth Galbraith.

Bush vs. U.S.

NEW YORK, MARCH 30

THE response given to Richard Clarke's apology for 9/11 is instructive. We assume he was sincere in tendering it, and, manifestly, the family members of the victims were sincere in their appreciation. Granting all that, we need to analyze the event for its implications.

One apologizes for one's own misdeeds. One can apologize, also, for the misdeeds of a group of which one is a member. Indeed, for a civilization of which one is one part. But in order to be credible, one has to have standing. The Pope can apologize for past episodes of Christian anti-Semitism, but a lonely priest doing so brings on attention not to medieval Church practices, but rather to himself. The psychological term is grandiosity: a self-exaltation that subordinates the major question.

Clarke's apology was not on the scale of sheer presumption, because he had a very direct role in the counterterrorist organization. But he was not apologizing for his own failure. Rather, Mr. Clarke has been apologizing for improper emphases by the Bush administration in response to the al-Qaeda threat. One recalls that on *60 Minutes* Mr. Clarke summoned up the terrorist bound for Los Angeles to bomb the airport, but apprehended by authorities owing, Clarke suggested, to the kind of priority given, in the late '90s, to potential terrorist activity. He was saying that President Bush's

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

failure to assign appropriate priority to al-Qaeda was responsible for latitudinarian counterterrorist activity.

But the historical plot thickens. Former secretary of state George P. Shultz, in a lecture at the Library of Congress, traced the events in Iraq that led to war, pausing over the year 1998 when President Clinton was called upon to implement the Iraq Liberation Act. He did not do so and the surmise was that he could not credibly present himself as a war leader while simultaneously fighting against his own impeachment. An apology here would not seem to be presumptuous.

The motives of Mr. Clarke, then, while concededly sincere, might be taken for a theatrical identification of oneself with the victims of 9/11, and understandably appreciated by those in the chamber whose relatives died. But the impact of that apology is political. By the time it has traveled a hundred yards through the ether, it is taken as an apology for what Bush didn't do, and now declines to do as a matter of pride and political obstinacy.

The Bush team is being denounced as defensive and self-concerned. But these accusations are a part of the general War Against Bush, which is in high gear.

The vitriol is seen in some of the language of contender John Kerry. If the intention is to hold Bush accountable for every bomb that goes off in Iraq, why not attack him, also, for failing to take steps to prevent the slaughter of 9/11?

The drama, as it is shaping up, rests not insubstantially on the charges of Richard Clarke. The political objective is to hold Bush accountable for shortcomings in current history, unemployment, taxation, the outsourcing of jobs, the loss of allies, the undermining of the U.N., and an unwinnable engagement in the Middle East. Clarke's contribution to the indictment may seem slight, but his apology is freighted with political drama in this call to arms: the U.S. vs. George Bush.

Let There Be Light

NEW YORK, APRIL 2

It was, to put it calmly, infuriating to be told by OPEC, at a moment when gasoline prices were rising, that production of oil would be reduced by four percent (one million barrels per day). A Saudi prince sought to ease the pain, present and prospective, by informing President Bush that Saudi Arabia would guarantee the world against any shortage of oil. That was a way of saying that a diminution in supplies, if critical, would be offset, noblesse oblige, by a Saudi hand opening up the faucet, as needed. It was nice to hear this, and also humiliating. The industrial world winces on being reminded of our increased dependency on the technology, reserves, and graces of Saudi Arabia.

But perspective here is useful. We consume, in the U.S., about 20 million barrels per day, importing 10 million of them. It is comforting to remind ourselves that we are the largest producer of oil (about 9 million barrels per day) in the world. But our reserves are not unlimited, while the Saudis are confident that, if necessary, they could ramp up production to 10 million barrels per day. *Business Week* reports that "if demand is really strong [the Saudis] insist, the kingdom could build up to 12 million bbl. a day by 2016 and hold that level out of existing reserves until 2033."

Again in search of perspective: The pain of our gasoline prices doesn't lessen by inspecting the scene abroad, but comparing prices blunts the edge of our indignation. We have been paying, according to U.S. government figures, an average of $1.76 per gallon of gasoline. In constant dollars, we paid $2.99 for a gallon in March 1981. And the price Americans pay for gasoline is about one-third the price Europeans pay.

We do have, of course, government reserves. These amount to 22 billion barrels—good, by simple arithmetic, for about three years. Obviously the use of these reserves is not to be contemplated as the answer to a four percent OPEC reduction.

We move inevitably to the question that politics simply refuses to take up, an approach not likely to be heard, in the months ahead, from the lips of George Bush or John Kerry. It is, of course, nuclear energy.

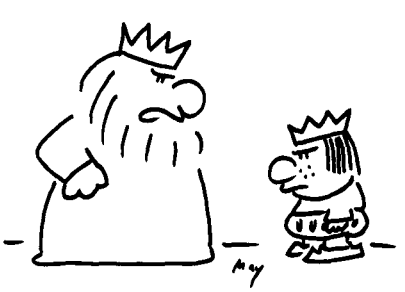
Once again the search for perspective. After capital investment, the cost of nuclear generation per unit of energy is 1.76 cents, to be compared with coal (1.79), oil (5.28), and natural gas (5.69). The cost of a new nuclear plant is viable when the price of natural gas consistently tops $5 per million BTU (British Thermal Units). Gas has topped $10 per unit, though it has since fallen back to about $3, but is recently rising.

From it all, we remind ourselves, or should, that the failure to proceed with nuclear energy production results from the industrial superstition inherited from the twentieth century. While nobody was paying much attention, France proceeded, over twenty years, to build up nuclear plants to supply 75 per cent of its electricity. The disaster at Chernobyl, following the threatened meltdown at Three Mile Island, turned attention away from nuclear energy and even away from a discussion of it. But reality is at work here. A Stanford professor writes, "With high probability, the countries of the world will face a decision between greatly expanded nuclear energy and a greatly reduced standard of living."

We are not going to succeed with campaigns to reduce our consumption of electricity or to ration our recreational driving by inveighing against the people who buy high-consumption cars. They are paying for their peculiar appetites—the cars are expensive, the cost of filling their tanks, high, and no one can persuasively argue that the marginal extra consumption of oil is critical. In Europe, they all use economy cars, and the price of gasoline is—as noted—three times higher than our own.

It will be a long way off, perhaps even after the Bush family gives up the White House, before we develop other means of heating our houses and propelling our automobiles. But our problems are man-made problems, ones we impose on ourselves, not problems imposed on us by fossil-fuel shortages. With breeder reactors, the uranium and thorium supply will last for billions of years.

—UNIVERSAL PRESS SYNDICATE



"Just wait till you have a Prince of Wales of your own!"

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

happy warrior

MARK STEYN

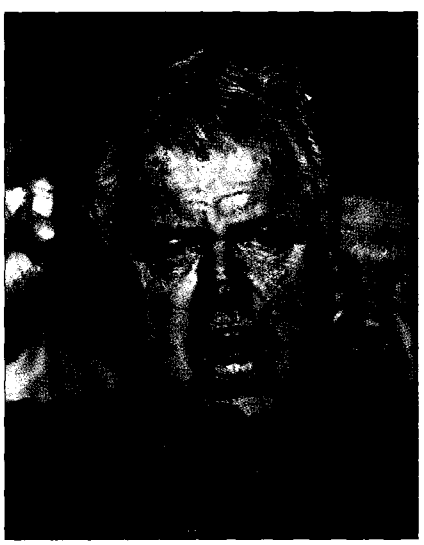
They Are Winning

WATCHING Bob Kerrey, who seems to be emotionally unhinged, and Richard Ben-Veniste, the lamest specimen of showboating hack, badgering Condoleezza Rice the other day, I understood more clearly why the Islamists despise the West. The 9/11 commission represents the very worst traits of American government: arthritic, retroactive, portentous, posturing, pseudo-legalistic, victimologically inclined, and utterly irrelevant to what we old-fashioned types still like to call the real world. By contrast, the Hutton inquiry in Britain was a model of intellectual focus and presentational restraint.

As to "BUSH'S FAILURE TO ACT!!!!" on a feeble August memo of *Islamism for Dummies* generalities, what act would the media have allowed the feds to get away with at the time? Investigate Zac Moussaoui or the large number of other young Arab men who were passing through American flight schools? This was after an election campaign in which Al Gore solemnly promised that one of his first acts as president would be an executive order prohibiting police from pulling over African-Americans for "driving while black." In the wake of the Wen Ho Lee debacle, the media's assumption was that he too had been racially profiled—arrested for no other reason than "working in a nuclear weapons laboratory while Chinese" (Lars-Erik Nelson). We don't need an investigation to know why in 2001 federal bureaucrats were reluctant to be flayed all over again by media scolds—this time for prosecuting the new hate crime of "flying while Arab."

After September 11th, some of us wondered whether, for all its tactical prestige, the destruction of that day wasn't a strategic error for the Islamists. If you take them at their word, their object—as outlined in their most comprehensive "Letter to the American People" (November 2002)—is the West's "complete submission" to Islam. It sounds a taller order when you look at the specifics—"reject the immoral acts of fornication, homosexuality, intoxicants, gambling's [sic], and trading with interest." Certainly the NATIONAL REVIEW Christmas party will be a more subdued affair.

But it's remarkable how week by week many of the pieces seem to be falling into place—in the name of multicultural sensitivity, there are more and more restrictions on mixed bathing at municipal swimming pools from France to Australia; porcine statuary is banned by an English council as offensive to Muslims; a sharia court has been recognized for the purposes of family law in the Islamic communities of Ontario. The notion of a dar el-Islam across the whole planet may sound ridiculous, but just below the surface pretty much everything seems to be going their way.



The face of the West

The problem with 9/11 was that it was above the surface: It caught the eye and demanded a response. This seemed, in Talleyrand's phrase, worse than a crime; it was a blunder. It removed al-Qaeda's hosts in Afghanistan and splintered the terrorist networks. On balance, one would have concluded that 9/11 was a setback for the inauguration of a global caliphate.

But, if you take the longer view, it was still a useful exercise in that it revealed the limitations of American power. The less insane Islamofascist leaders understand that you can't militarily defeat the West, and that you don't have to: The West will defeat itself, and it's only necessary to be there to inherit when they do. In that sense, both the Spanish election results and the 9/11 hearings confirm the Islamists' view that the West is weak-willed and defeatist.

The best way to understand the enemy is to look at the Iraq war a year ago. Barely a sign of anything that looked like an army, but plenty of plainclothes thugs making mischief by blending in with the local populations. If things were the other way round, if Saddam invaded Massachusetts and some die-hards from the Third Infantry Division holed up in a daycare center, do you think the Republican Guard would give it a moment's thought before leveling the daycare, kids and all? Everything the Baath regime did factored in what's (according to taste) either the moral superiority or the moral squeamishness of the West.

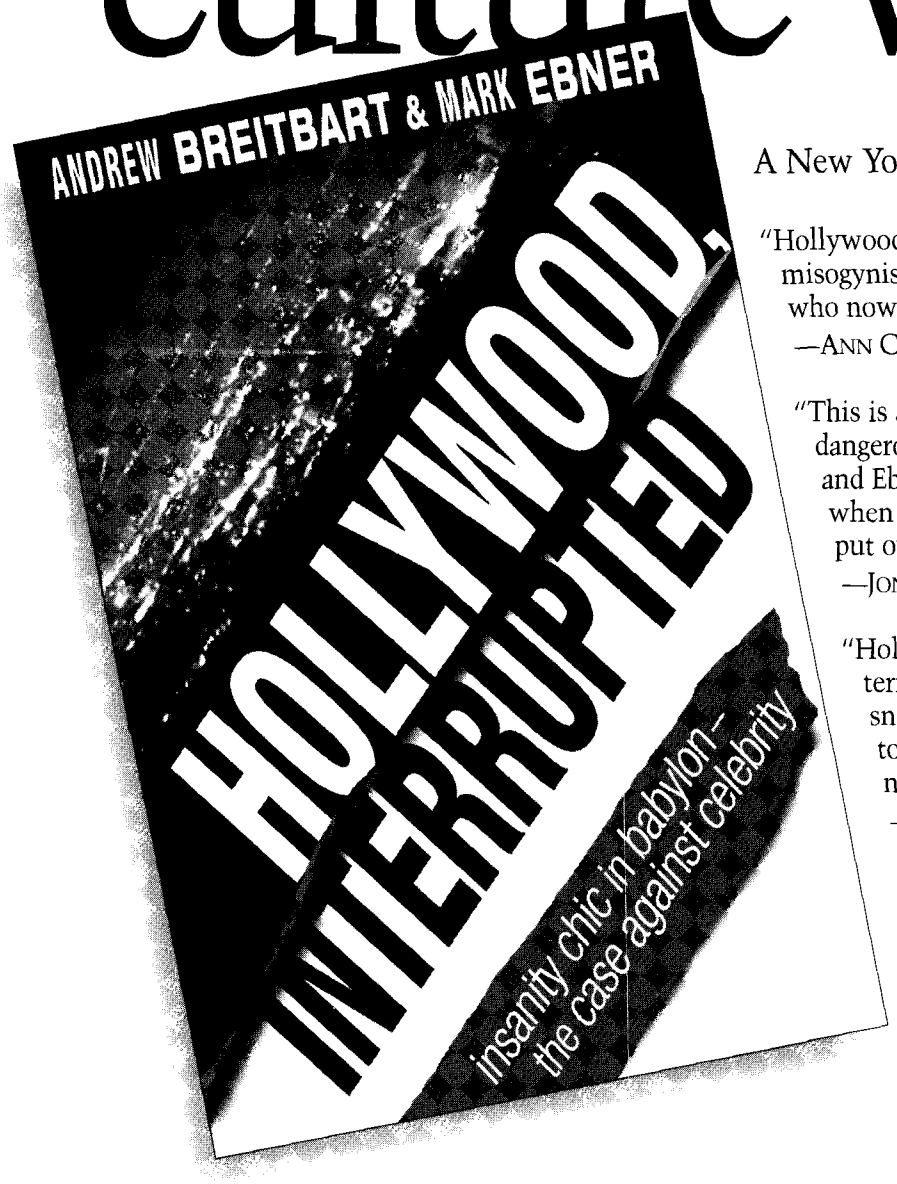
Can we afford that now? Tammy Bruce, the magnificent lesbian whom the doctrinaire Left has driven over to the other side, has called on the U.S. to "level Fallujah," as long ago the RAF leveled Dresden and the USAF Hiroshima: That way the losing side knows it's lost. "Steady on, old girl," I thought, as I read Miss Bruce. I don't subscribe to the view that we can win the "hearts and minds" of the Sunni Triangle, but, heartless and mindless as they are, I'm reluctant to kill 300,000 of them.

But Miss Bruce usefully clarified the options. If the Bush policy—fixing the problem at the source by reforming dysfunctional states—is a long shot, what's the alternative? If failed states stay failed, and we permit ourselves only to fight defensively, through e-mail chatter and airport security, and railway bombs neuter American allies even more thoroughly than they already are, and a suitcase nuke goes off in Dallas or Detroit, then at some point it's going to be a choice between the Bruce option or a slow surrender. And, given the pitiful performance of Bob Kerrey, Bob Byrd, Ted Kennedy, et al. these last few weeks, the latter looks the better bet. **NR**

STEVE POPE/EPA

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

From the front lines of the culture war.



A New York Times bestseller.

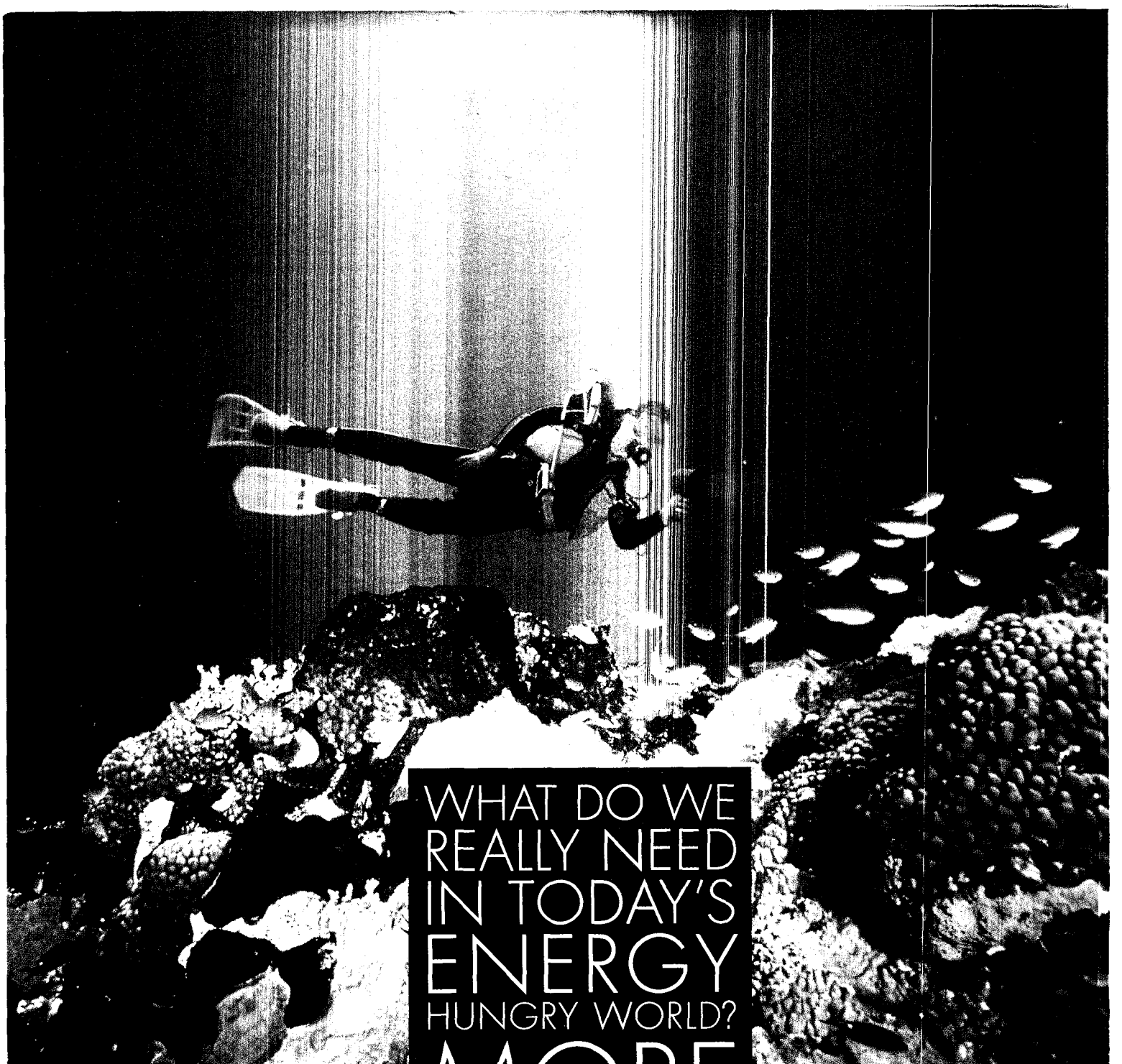
"Hollywood, Interrupted describes the misogynist, pill-popping degenerates who now define American culture."
—ANN COULTER

"This is a great book to read and a dangerous book to write. Breitbart and Ebner can hide in my basement when the Powers that Be in Hollywood put out a contract on them."
—JONAH GOLDBERG, National Review

"Hollywood, Interrupted is a terrific book, both snappy and snappish. . . .The next best thing to a Los Angeles friend with a nose for juicy gossip."
—The Wall Street Journal

WILEY
Now you know.
wiley.com

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED



WHAT DO WE REALLY NEED IN TODAY'S ENERGY HUNGRY WORLD? MORE GARDENERS.

The Flower Gardens of the Gulf of Mexico. Home to some of the most spectacular banks of coral and sponges to be found in this part of the world.

In fact, this National Marine Sanctuary forms the most northerly reef on the U.S. continental shelf. Which is why, when Shell went looking for oil and natural gas in this region, we looked for help from Jim Ray—a marine biologist and Shell employee.

For some thirty years now, Jim and others just like him have been working to protect this magnificent area and other sensitive marine environments.

They're providing a habitat for all manner of marine life, so everyone from ecologists to schoolteachers has the opportunity to study this wonderful world firsthand.

Because at Shell, we focus on energy but that's not our only focus. To find out more, see the Shell Report at www.shell.com.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED